



AGENDA, TROY CITY COUNCIL
MONDAY, AUGUST 15, 2016, 7:00 P.M.
COUNCIL CHAMBERS, CITY HALL

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

(excuse Mrs. Snee)
(excuse Mr. Schweser)

excuses by motion/second/roll call vote
excuses by motion/second/roll call vote

SUMMARY OF MINUTES

August 1, 2016 Meeting

motion/second/roll call vote

COMMITTEE REPORTS

RESOLUTIONS

R-33-2016	Consent legislation, ODOT paving part of SR 41 E and SR 41 W	EMERGENCY	1 st Reading
R-34-2016	SmithFly Designs, LLC assume loan to Charles Sturwold for 210 E. Water St.	EMERGENCY	1 st Reading

ORDINANCES

O-34-2016	Rezone part of OL 119 and 120, abandoned railroad property south of E. Race Drive from R-3 Single-Family Residential District, to M-2, Light Industrial District		3 rd Reading
O-41-2016	Notwithstanding Ordinance for Taste of Troy event of Troy Main Street and agreement with Troy Main Street for the event	EMERGENCY	1 st Reading
O-42-2016	Rezone Inlot 7504 from M-2, Light Industrial District, to B-2, General Business District, address of 2569 W. Main Street	PUBLIC HEARING 9-6-2016	1 st Reading
O-43-2016	Rezone part of IL 9891, 19.281 acres of Halifax Subd. from R-1, Single Family Residential District and A-R, Agriculture-Residential District to the single zoning of R-1, Single Family Residential District	PUBLIC HEARING 9-6-2016	1 st Reading

COMMUNICATIONS/ANNOUNCEMENTS

COMMENTS: Mayor, Director of Public Service & Safety, Director of Law, Auditor, Council President

COMMENTS: Council

COMMENTS: Staff

COMMENTS: Audience

ADJOURN

NOTE: Committee meetings may take place prior to or following Council meeting

CITY OF TROY MISSION STATEMENT:

Through sound and prudent leadership, the City of Troy is committed to sustaining its continued prominence as a regional hub by providing a well-balanced community for its residents, businesses and visitors, consisting of a vibrant downtown, growing economic base, strong educational environment, and plentiful recreational opportunities strengthened by public/private cooperation and grounded in financial stability.

DISPOSITION OF ORDINANCES AND RESOLUTIONS

Date of Meeting: Aug. 15, 2016

Troy City Council Meeting

DESCRIPTION	RESOLUTION NO.	1ST READING	2ND READING	3RD READING	PUBLIC HEARING	SUSPENSION	ADOPTION
Consent ODOT pave small parts of SR 41 E and W	R-33-2016						
SmithFly assume loan to Sturwold	R-34-2016						
	ORDINANCE NO.						
Rezone part OL 119 & 120 behind part of Race Drive	O-34-2016	7/18/2016	8/1/2016		8/1/2016		
TIMS - Taste of Troy Event, Notwithstanding Ord & Agreement	O-41-2016						
Rezone 2569 W. Main St.	O-42-2016				9/6/2016		
Rezone part of Halifax Development	O-43-2016				9/6/2016		

MINUTES OF COUNCIL

A regular session of Troy City Council was held Monday, August 1, 2016, at 7:00 p.m. in Council Chambers.

Members Present: Oda, Phillips, Schweser, Snee, Terwilliger, Tremblay and Twiss.

Upon motion of Mr. Schweser, seconded by Mr. Phillips, Mr. Kendall was excused from this meeting by unanimous roll call vote.

Upon motion of Mrs. Snee, seconded by Mr. Twiss, Mr. Heath was excused from this meeting by unanimous roll call vote.

Presiding Officer: Martha A. Baker

President of Council

Others Present: Michael L. Beamish
Patrick E. J. Titterington
Grant D. Kerber

Mayor
Director of Public Service and Safety
Director of Law

INVOCATION: The meeting began with an invocation given by Mrs. Snee, followed by the Pledge of Allegiance.

PUBLIC HEARING: At 7:03 p.m., Mrs. Baker declared open a public hearing on O-34-2016, rezoning of part of OLs 119 and 120 from R-5 to M-2.

Speaking in Favor of the Rezoning:

-Bill Adkins, 1126 Jeep Street, stated he did not oppose the rezoning, but stated concern for traffic if rezoned and had questions regarding the plans for the land. Mr. Titterington responded that the purchaser has indicated the use to be for parking or expansion of the existing building or building another structure for storage, but no plans have been received to be reviewed as the rezoning has to be processed first.

-James Snyder, 1020 Race Drive, asked if Spectracam is the proposed purchaser and was told that is true. He asked about the area proposed to be rezoned (2.69 acres), if an easement by his property is being vacated, and stated Spectracam has been a good and clean neighbor. Mr. Titterington advised that any future easement vacation would have to be considered by Council.

-Steven Justice, legal counsel for Spectracam and assisting Habitat with the sale of the land, stated Spectracam is asking the land be rezoned back to the industrial zoning it had prior to be rezoned after Habitat purchased the land. He also commented that Spectracam intends to be able to move trucks off Race Drive to unload deliveries, creating a safer situation with less interruption to the neighborhood.

Speaking Opposing the Rezoning:

-Brian Joseph, 1004 E. Race Drive, asked if Council would like to have light industrial in their back yards. He commented that he and the neighbors enjoy the tree canopy in their back yards and do not want to lose that and he is concerned he and his neighbor will lose the use of a drive. Mr. Joseph relayed that he had twice offered to purchase the land from Habitat, but was not able to complete a purchase.

-Gloria Bashore, 1008 Race Drive, stated her concern with more truck traffic and reduced property values.

-Mr. Adkins, 1126 Jeep Street, said he is opposed to the rezoning.

In response to Mrs. Oda, Mr. Titterington confirmed that the rezoning to M-2 is returning the land to the zoning it had prior to being rezoned for Habitat when Habitat had planned to put houses on the land.

There being no further comments, at 7:18 p.m., Mrs. Baker declared this public hearing closed.

MINUTES: The Clerk gave a summary of the minutes of the July 18, 2016 meeting of Troy City Council. There were no corrections or additions to these minutes. A motion was made by Mr. Phillips, seconded by Mr. Twiss, to approve these minutes. Motion passed by unanimous roll call vote.

COMMITTEE REPORTS:

Finance Committee: Mr. Tremblay reported, that Committee recommends legislation be prepared to authorize bank deposit agreements with the five financial institutions that submitted proposals for the deposit of public funds, as recommended by the City Auditor. As the current depository agreements expire August 22, Committee supported emergency legislation.

Report signed by Schweser and Tremblay.

Law & Ordinance Committee: Mr. Schweser, Chairman, reported that Committee recommends legislation be prepared to accept the dedication of the following rights-of-way, as recommended by the Troy Planning Commission:

1. 1.150 acres of existing Inlot 10577 along the west side of Troy-Sidney Road.
2. 0.925 acres of existing Inlots 7133, 7134, and 7135 along the 1400 block of East Staunton Road and the 1500 block of Old Staunton Road.

Report signed by Phillips, Snee and Schweser.

Recreation & Parks: Mrs. Oda reported that Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to finalize the sale of approximately 40.630 acres of Duke Park North to the Board of Commissioners of Miami County Park District as authorized by the Real Estate Purchase Option Agreement between the City and the County Park District. So that the purchase and transfer of land can be completed when requested, Committee supported emergency legislation.
Report signed by Oda and Tremblay.

CITIZEN COMMENTS – Andrew Luring invited Council to attend a peaceful rally at Prouty Plaza, 2:00 p.m., August 7.

RESOLUTIONS – NONE.

ORDINANCE NO. O-34-2016

ORDINANCE CHANGING THE ZONING OF PART OF OUTLOTS 119 AND 120 (PARCEL NO. D08-096930) IN THE CITY OF TROY, OHIO FROM THE ZONING OF R-5, SINGLE-FAMILY RESIDENTIAL DISTRICT, TO M-2, LIGHT INDUSTRIAL DISTRICT

This Ordinance was given first title reading on July 18, 2016.
Given second title reading.

ORDINANCE NO. O-37-2016

ORDINANCE ACCEPTING THE DEDICATION OF A RIGHT-OF-WAY

This Ordinance was given first title reading.

Mr. Tremblay moved for suspension of rules requiring three readings. Motion seconded by Mr. Schweser.

Yes: Tremblay, Schweser, Terwilliger, Snee, Twiss, Oda and Phillips.

No: None.

Mr. Phillips moved for adoption. Motion seconded by Mr. Twiss.

Yes: Schweser, Terwilliger, Snee, Twiss, Oda, Phillips and Tremblay.

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-38-2016

ORDINANCE ACCEPTING THE DEDICATION OF A RIGHT-OF-WAY

This Ordinance was given first title reading.

Mr. Snee moved for suspension of rules requiring three readings. Motion seconded by Mr. Twiss.

Yes: Terwilliger, Snee, Twiss, Oda, Phillips, Tremblay and Schweser.

No: None.

Mr. Tremblay moved for adoption. Motion seconded by Mrs. Snee.

Yes: Snee, Twiss, Oda, Phillips, Tremblay, Schweser and Terwilliger.

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-39-2016

ORDINANCE AUTHORIZING THE DEPOSIT OF PUBLIC FUNDS OF THE CITY OF TROY, OHIO, AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

Mr. Tremblay moved for suspension of rules requiring three readings. Motion seconded by Mrs. Snee.

Yes: Twiss, Oda, Phillips, Tremblay, Schweser, Terwilliger and Snee.

No: None.

Mr. Tremblay moved for adoption. Motion seconded by Mrs. Snee.

Yes: Oda, Phillips, Tremblay, Schweser, Terwilliger, Snee and Twiss.

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-40-2016
ORDINANCE AUTHORIZING THE SALE OF MUNICIPAL PROPERTY NO LONGER NEEDED FOR A PUBLIC
PURPOSE DECLARING AN EMERGENCY

This Ordinance was given first title reading.

Mrs. Snee moved for suspension of rules requiring three readings. Motion seconded by Mr. Schweser.

Yes: Phillips, Tremblay, Schweser, Terwilliger, Snee, Twiss and Oda.

No: None.

Mr. Tremblay moved for adoption. Motion seconded by Mrs. Snee.

Yes: Tremblay, Schweser, Terwilliger, Snee, Twiss, Oda and Phillips.

No: None.

ORDINANCE ADOPTED

COMMENTS OF THE MAYOR: Mayor Beamish shared a note he received from the French Embassy thanking him and the City for a message of condolence following a terrorist attack in Nice, France. The Mayor commented that a recent survey named Troy the 7th happiest community in Ohio in which to live.

COUNCIL COMMENTS: Mrs. Oda asked about enforcement due to reported drug activity at the Royal Inn, and Mr. Titterington assured her that the Police Department is checking the location.

There being no further business, Council adjourned at 7:36 p.m.

Clerk of Council

President of Council

COMMITTEE REPORT
TROY CITY COUNCIL

TO: Mrs. Baker, President of Council

DATE: August 11, 2016

FROM: Finance Committee

SUBJECT: LOAN TO CHARLES STURWOLD TO BE ASSUMED BY SMITHFLY DESIGNS LLC

SUMMARY: *(to be read at Council meeting)*

On August 11 this Committee met to consider the recommendation of the Loan Review Committee that SmithFly Designs LLC be authorized to assume the Small Business Development Revolving loan made to Charles Sturwold in 2014 related to the purchase and improvement of the property at 210 E. Water Street.

RECOMMENDATION: *(to be read at Council meeting)*

It is the recommendation of this Committee that the recommendation of the Loan Review Committee be supported and that legislation be prepared to provide for SmithFly Designs LLC to assume the loan that was originally made to Charles Sturwold subject to the original conditions of the loan. So that the loan assumption can be completed as soon as possible and SmithFly Designs LLC take possession of the property at 210 E. Water Street, we support emergency legislation.

Respectfully submitted,

John. W. Schweser

Douglas W. Tremblay

Thomas M. Kendall, Chairman
Finance Committee

DETAILED REPORT:

On August 11, 2016, this Committee met to consider the recommendation from the Loan Review Committee for Council approval of SmithFly Designs to assume the Small Business Development Loan (# 1423002), which was originally made to Charles Sturwold by Council's adoption of Resolution R-16-2014 on March 17, 2014. This meeting was also attended by Mayor Beamish, Council President Baker, Council Member Phillips, the Director of Public Service and Safety, members of the City staff, and Ethan Smith.

This loan was made to Charles Sturwold for the purchase and repair of the building located at 210 East Water Street. The approved loan amount was \$130,000 and has been reduced to \$121,660.37 (as of Aug. 2) through regular monthly payments. SmithFly Designs LLC has a retail establishment at 211 E. Water Street. The business has grown and additional spaces is needed for some elements of the business. The owner of SmithFly purchasing the 210 East Water Street building will enable the business to combine its retail, mail-order, manufacturing, and warehouse operations in one building, with adequate separation between the different functions. The Loan Review Committee reviewed this proposal on August 3, 2016 and recommended it be approved subject to the original conditions of the loan, including that the parking lot be paved as required by the Zoning Code. No new City funds are being loaned. No rezoning is necessary, as the property already is zoned M-2 Light Industrial, and the proposed uses fit that zoning. No approval is required from the Ohio Development Services Agency because it is not a new loan project. We were advised that the only employees are currently family members. While there is the potential for employment growth, the basis of the loan is the reuse of a building.

RECOMMENDATION:

It is the recommendation of this Committee that the recommendation of the Loan Review Committee be supported and that legislation be prepared to provide for SmithFly Designs LLC to assume the loan that was originally made to Charles Sturwold subject to the original conditions of the loan. So that the loan assumption can be completed as soon as possible and SmithFly Designs LLC take possession of the property at 210 E. Water Street, we support emergency legislation.

COMMITTEE REPORT
TROY CITY COUNCIL

TO: Mrs. Baker, President of Council
FROM: Law & Ordinance Committee
SUBJECT: AGREEMENT WITH TROY MAIN STREET, INC. FOR TASTE OF TROY

DATE: August 11, 2016

SUMMARY REPORT: *(to be read at Council meeting)*

Committee members Schweser and Phillips met on August 11 to consider the request of Troy Main Street (TMS) that their annual Taste of Troy event include an enclosed and secured area for a beer garden for the sale and consumption of beer and wine. The beer garden would be on the green space with the hours of 11:00 a.m. to 8:00 p.m. to coincide with the 2nd Story Secrets tour. No one under the age of 21 would be permitted within the boundary of the beer garden. TMS would apply for the F2 permit and would be required to meet all the requirements of such permit.

RECOMMENDATION: *(to be read at Council meeting)*

It is the recommendation of this Committee that legislation be prepared authorizing the Director of Public Service and Safety to enter into an agreement with Troy Main Street for the 2016 Taste of Troy event to include the beer garden area, with notwithstanding wording part of the legislation.

Respectfully submitted,

Bobby W. Phillips

Lynne B. Snee

John W. Schweser, Chairman
Law & Ordinance Committee

DETAILED REPORT:

Committee members Schweser and Phillips met on August 11, 2016, to consider an Agreement with Troy Main Street for the September 10 Taste of Troy event to include the sale and consumption of alcoholic beverages. This meeting was also attended by Mayor Beamish, Council President Baker, Council Members Kendall and Tremblay, the Director of Public Service and Safety, the Troy Main Street Executive Director, members of the City staff, and a citizen.

Troy Main Street's (TMS) annual Taste of Troy event is scheduled for September 10, 2016 from 11:00 am – 4:00 pm for the food tasting area and from 11:00 a.m. to 8:00 p.m. for the beer garden. The 8:00 p.m. time frame has been requested to coincide with the 2nd Story Secrets tour period. TMS has requested to use part of Prouty Plaza for an enclosed and secure beer garden for the sale and consumption of beer and wine. Alcoholic beverages would not be permitted outside the beer garden boundary. Prouty Plaza would also be used for entertainment and have tables/chairs for people to enjoy the food choices and non-alcoholic beverages. As the vendors for Taste of Troy are usually within the parking area of two quadrants, TMS has requested that West Main Street just east of the crosswalk at the Square to Cherry Street be closed so that the food booths can be located along West Main Street. Other details are:

- TMS would be required to apply for an F2 permit, and meet all requirement of such permit.
- TMS would need to carry liquor liability coverage and other coverage required by the City.
- No one under the age of 21 would be permitted within the beer garden boundary.
- The duties of TMS for this Taste of Troy would be the same as for this event in recent years.
- Expenses incurred by the City over and above those for Taste of Troy in recent years would be reimbursed by TMS. We were advised that the current estimate of those costs is approximately \$500. At this time, this event is not expected to result in additional overtime by safety departments.

RECOMMENDATION:

It is the recommendation of this Committee that legislation be prepared authorizing the Director of Public Service and Safety to enter into an agreement with Troy Main Street for the 2016 Taste of Troy event to include a beer garden area, with notwithstanding wording part of the legislation.

Cc: Council, Mayor, Mr. Kerber, Mr. Frigge, Mr. Titterington, Clerk, media, file

COMMITTEE REPORT
TROY CITY COUNCIL

TO: Mrs. Baker, President of Council
FROM: Law & Ordinance Committee
SUBJECT: REZONING OF PART OF OUTLOTS 119 AND 120 FROM R-5, SINGLE FAMILY RESIDENTIAL DISTRICT,
TO M-2, LIGHT INDUSTRIAL DISTRICT

DATE: August 2, 2016

SUMMARY REPORT: *(to be read at Council meeting)*

This Committee met on August 2 to review a rezoning recommendation from the Troy Planning Commission that part of Outlots 119 and 120 (Parcel # DO8-096930) be rezoned from R-5, Single-Family Residential District, to M-2, Light Industrial District. At the August 1 public hearing, comments were made opposing the rezoning. We note that if the rezoning is approved, most of the concerns raised will be addressed through the plan review between the owner and City Staff.

Mr. Schweser commented that as he serves on the board of Habitat for Humanity, he will abstain from the Committee recommendation and voting on the issue.

RECOMMENDATION: *(to be read at Council meeting)*

It is the recommendation of this Committee that Ordinance No. O-34-2016 be adopted to provide for the rezoning of part of Outlots 119 and 120, from R-5, Single Family Residential District, to M-2, Light Industrial District.

Respectfully submitted,

Bobby W. Phillips

Lynne B. Snee

(abstain)
John W. Schweser, Chairman
Law & Ordinance Committee

DETAILED REPORT:

This Committee met on August 2 to review the recommendation from the Troy Planning Commission that part of Outlots 119 and 120 (Parcel # DO8-096930) be rezoned from R-5, Single-Family Residential District, to M-2, Light Industrial District. This meeting was also attended by Mayor Beamish, Council President Baker, Council Members Oda and Tremblay, the Director of Public Service and Safety, representatives of the applicant, and members of the City staff.

These outlots consist of 1.41 acres of abandoned railroad property, located south of E. Race Drive, abutting the lots with addresses of 910 E. Race Drive to 1112 E. Race Drive. The rezoning property owner/applicant is Habitat for Humanity.

In 2010, this property had split zoning of R-5, Single Family Residential, and M-3, General Industrial district. It was rezoned in 2011 to R-5 to accommodate a plan of Habitat for Humanity to construct residential units. However, due to the cost of the project and the large parcel to the south (zoned M-3, General Industrial) not being suitable for residential development, Habitat has opted to abandon the Jeep Street extension project and has requested the property be rezoned for industrial use. If rezoned back to an industrial zoning, Habitat for Humanity could then sell the land to the contiguous business, Spectracam, so that Spectracam can use the land for additional parking and/or storage.

A public hearing was held at the August 1 Council Meeting, with three neighboring residents stating they oppose the rezoning based on concerns regarding additional truck traffic, decreased property values, and loss of the tree line to the back of the Race Drive properties.

Unless/until the land is rezoned and Spectracam purchases the land, plans are not submitted to the City regarding how Spectracam intends to utilize the land. If the land is rezoned, staff will recommend to Spectracam that one viable option of the required 25' buffer between residential and industrial zones would be to retain much of the tree line. It is also noted that any enhancement of the Spectracam parking area would help reduce truck parking on Race Drive and any extension of Jeep Street to connect to the parking lot would provide an access for trucks to the Spectracam site. However, the matter now before Council is should part of Outlots 119 and 120 be rezoned to industrial, which was the zoning of these parcels prior to 2011.

Another item mentioned at the public hearing was that one of the neighbors had attempted to purchase this property, or part of the property, from Habitat. The Executive Director of Habitat advised that the only sale currently being considered is of the entire parcel to Spectracam.

We support the findings of the Planning Commission that the rezoning from R-5 to M-2 be approved based on:

- o The area has the same zoning with two connecting parcels as the proposed zoning classification;
- o The property already provides a required buffer between the residential properties and proposed industrial property;
- o The parcel meets the required bulk requirements for an M-2 zoned property and fits the proposed use well;
- o The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code;
- o The rezoning would enable utilization of a currently unutilized property.

Mr. Schweser commented that as he serves on the board of Habitat for Humanity, he will abstain from the Committee recommendation and voting on the issue.

RECOMMENDATION:

It is the recommendation of this Committee that Ordinance No. O-34-2016 be adopted to provide for the rezoning of part of Outlots 119 and 120, from R-5, Single Family Residential District, to M-2, Light Industrial District.

cc: Council, Mayor, Mr. Kerber, Mr. Frigge, Mr. Titterington, Clerk, staff, media

COMMITTEE REPORT
TROY CITY COUNCIL

TO: Mrs. Baker, President of Council

DATE: August 9, 2016

FROM: Streets & Sidewalks Committee

SUBJECT: ODOT CONSENT LEGISLATION, RESURFACING PROGRAM – SR 41 IN STATE FY 2017

SUMMARY REPORT: *(to be read at Council meeting)*

Committee members Heath and Phillips met on August 9 to consider the consent legislation provided by the Ohio Department of Transportation (ODOT) regarding ODOT's microsurfacing project to include the paving of East SR 41 and West SR 41 in State FY 2017. A small portion of the project is within Troy's city limits. The project is at no cost to the City, but consent legislation is required.

RECOMMENDATION: *(to be read at Council meeting)*

We recommend that the consent legislation provided by ODOT be approved related to the paving of areas of East SR 41 and West SR 41 within the City of Troy. Based on the ODOT format, we support the legislation being presented as an emergency measure.

Respectfully submitted,

Brock A. Heath

Lynne B. Snee

Bobby W. Phillips, Chairman
Streets & Sidewalks Committee

DETAILED REPORT:

Committee members Heath and Phillips met on August 9, 2016, to consider the consent legislation provided by the Ohio Department of Transportation (ODOT) regarding ODOT's microsurfacing project of both East and West SR 41 for State FY 2017. This meeting was also attended by Council President Baker, the Director of Public Service and Safety, and members of the City staff.

For this project, ODOT will be paving areas of both East and West SR 41 and a small portion of the areas to be paved is within the City of Troy. The project is at no cost to the City, but consent legislation is required. As is standard with ODOT, their consent legislation would be an emergency measure.

RECOMMENDATION:

We recommend that the consent legislation provided by ODOT be approved related to the paving of areas of East SR 41 and West SR 41 within the City of Troy. Based on the ODOT format, we support the legislation being presented as an emergency measure.

cc: Council, Mayor,
Director of Law
City Auditor
Mr. Titterington
Clerk
File
media

RESOLUTION No. R-33-2016

A RESOLUTION AUTHORIZING CONSENT AND COOPERATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF STATE ROUTE 41 EAST AND STATE ROUTE 41 WEST WITHIN THE RIGHT-OF-WAY OF THE CITY OF TROY, OHIO IN FY 2017 AND DECLARING AN EMERGENCY

PID No. 102958
MIA MICRO FY2017 (B)

The following is Resolution enacted by the City of Troy, Miami County, Ohio, hereinafter referenced to as the CITY, in the matter of the stated described project.

SECTION I - Project Description

WHEREAS, the STATE has identified the need for the described project:

Microsurface various routes in Miami County to include State Route 41 Straight Line Mile 5.68 to 7.98 and Straight Line Mile 12.66 to 18.74, more or less, a portion within the City of Troy, Miami County, Ohio. Said project is further identified as MIA MICRO FY2017 (B).

NOW THEREFORE, be it resolved by the City of Troy, Ohio.

SECTION II - Consent Statement

Being in the public interest, the CITY gives consent to the Director of Transportation to complete the above described project.

SECTION III - Cooperation Statement

The CITY shall cooperate with the Director of Transportation in the above-described project as follows:

The CITY has no obligation for costs for the project as described in Section I. ODOT will provide all Federal-aid and State funds as set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation.

In addition, the CITY also agrees to pay One-Hundred Percent (100%) of those features requested by the CITY which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

If curb ramps are constructed by ODOT in compliance with the Americans with Disabilities Act, future maintenance of installed sidewalk curb ramps shall be the responsibility of the City. The City shall adjust any existing castings, as required, with City forces.

SECTION IV - Utilities and Right-of-Way Statement

The CITY agrees that all right-of-way (if applicable) required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The CITY also understands that right-of-way costs include eligible utility costs. The CITY agrees to be responsible for all utility accommodation, relocation, and reimbursement and will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION V - Maintenance

Upon completion of the Project, and unless otherwise agreed, the CITY shall: (1) provide adequate maintenance for the Project in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C. Section 116; (2) provide ample financial provisions, as necessary, for such maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and, (4) hold said right-of-way inviolate for public highway purposes.

SECTION VI - Authority to Sign

The Director of Public Service and Safety of said City is hereby empowered on behalf of the City of Troy to enter into contracts with the Director of Transportation necessary to complete the above described project.

SECTION VII - Emergency

That this Resolution is an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City of Troy, Ohio, and for the further reason to expedite the highway project and to promote highway safety, NOW WHEREFORE this Resolution shall be effective immediately upon its adoption and approval by the Mayor.

Adopted: _____

President of Council

Approved: _____

Attest: _____

Clerk of Council

Mayor

RESOLUTION No. R-34-2016

**RESOLUTION APPROVING THE APPLICATION OF SMITHFLY
DESIGNS LLC TO ASSUME A LOAN FROM THE SMALL
BUSINESS DEVELOPMENT REVOLVING LOAN FUND TO
CHARLES S. STURWOLD AND DECLARING AN EMERGENCY**

WHEREAS, Council has previously adopted Resolution R-16-2014, which authorized a loan from the Small Business Development Revolving Loan Fund to Charles S. Sturwold for the purchase and repair of the property located at 210 East Water Street, Troy, Ohio, and

WHEREAS, SmithFly Designs LLC has contracted to purchase said property and desires to assume the loan, and

WHEREAS, the Loan Review Committee reviewed the application of SmithFly Designs LLC and recommended its approval, subject to the same conditions as in the original loan documents.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Troy, Ohio, as follows:

SECTION I: That Council hereby approves the application of SmithFly Designs LLC to assume the said loan originally approved to Charles S. Sturwold and all obligations and responsibilities in the loan documents dated March 27, 2014.

SECTION II: That the Director of Public Service and Safety is hereby authorized to execute any and all related documents and take whatever actions are necessary to complete the loan assumption process in accordance with the City and State guidelines and in accordance with the Finance Committee's report to Council.

SECTION III: That the Director of Public Service and Safety is hereby authorized to execute any documents necessary for the release and cancellation of liens securing this loan at such time that the loan is repaid in full, and that the Law Director is hereby authorized and directed to cause the recording of such documents necessary for said release.

SECTION IV: That this Resolution is an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the City of Troy, Ohio, and for the further reason that time is of the essence for SmithFly Designs LLC to comply with the terms of the purchase contract, NOW, WHEREFORE, this Resolution shall be effective immediately upon its adoption and approval by the Mayor.

Adopted: _____

President of Council

Approved: _____

Attest: _____
Clerk of Council

Mayor

ORDINANCE No. O-34-2016

Dayton Legal Blank, Inc.

**ORDINANCE CHANGING THE ZONING OF PART OF
OUTLOTS 119 AND 120 (PARCEL NO. D08-096930) IN
THE CITY OF TROY, OHIO FROM THE ZONING OF R-5,
SINGLE-FAMILY RESIDENTIAL DISTRICT, TO M-2,
LIGHT INDUSTRIAL DISTRICT**

WHEREAS, a request for zoning change was presented to the Planning Commission of the City of Troy, Ohio, to rezone of part of Outlots 119 and 120 (Parcel # D08-096930) in the City of Troy, and

WHEREAS, the Planning Commission of the City of Troy, Ohio, has reviewed the plan and recommended approval, and

WHEREAS, at least thirty days notice of the public hearing of said change has been provided in a newspaper of general circulation,

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Troy, Ohio as follows:

SECTION I: That the zoning of part of Outlots 119 and 120 (Parcel # D08-096930) from the zoning of R-5, Single-Family Residential District, to the zoning of M-2, Light Industrial District is hereby approved.

SECTION II: That this Ordinance shall be effective at the earliest date allowed by law.

Adopted: _____
President of Council

Approved: _____

Attest: _____
Clerk of Council Mayor



MEMORANDUM

TO: Mrs. Baker, President, Troy City Council

FROM: Sue Knight, for the Troy Planning Commission

DATE: July 1, 2016

SUBJECT: **REPORT OF THE PLANNING COMMISSION ON THE REZONING OF PART OF OUTLOTS 119 & 120, ABANDONED RAILROAD PROPERTY LOCATED SOUTH OF A PORTION OF E. RACE DRIVE, FROM R-5, SINGLE FAMILY RESIDENTIAL DISTRICT, TO M-2, LIGHT INDUSTRIAL DISTRICT**

On June 22, 2016, the Troy Planning Commission considered the rezoning of Part of Outlots 119 and 120 (Parcel # DO8-096930) from R-5, Single-Family Residential District, to the zoning of M-2, Light Industrial District. This is 2.6942 acres of abandoned railroad property, located south of E. Race Drive, abutting the lots with addresses of 910 E. Race Drive to 1112 E. Race Drive. The rezoning property owner/applicant is Habitat for Humanity.

In 2010, this property had split zoning of R-5, Single Family Residential, and M-3, General Industrial district. Habitat for Humanity had a vision for the property which included an extension of Jeep Street to the west to connect with S. Union Street for a project that would result in 14 new residential lots with the opportunity of a large scale neighborhood to the south. The property was rezoned entirely to the R-5, Single Family Residential District, to accommodate the then plan of Habitat for Humanity. However, due to the cost of the project and the large parcel to the south (zoned M-3, General Industrial) not being suitable for residential development, Habitat has opted to abandon the Jeep Street extension project and has requested the property be rezoned for industrial use. If rezoned to M-2, Habitat for Humanity could then sell the land to the contiguous business, Spectracam, so that Spectracam can expend their facility.

The parcel proposed for rezoning touches Jeep Street, which provides frontage (although this portion of Jeep Street is not yet paved). The property runs along the south property line of nine residential properties and to the west of one residential property. The impact to the surrounding residential areas will be minimal due to the unique topography and the natural buffer already in place, which consists of an earthen berm and heavy tree density. A buffer between the residential zoning district and the industrial district is required by the City of Troy Zoning Code.

The Zoning Code describes the "M-2" Light Industrial District as designed to provide for industrial uses, which can be operated in such a manner as to conform to the applicable performance standards specified in the district. These performance standards regulate such uses in order to prohibit congestion and for the protection of adjacent residential and business activities.

The Planning Commission determined not to hold a public hearing on this rezoning application.

By unanimous vote, the Troy Planning Commission recommends to Troy City Council that the rezoning be approved for part of Outlots 119 and 120, consisting of 2.6942 acres of abandoned railroad property, located south of E. Race Drive, abutting the lots with addresses of 910 E. Race Drive to 1112 E. Race Drive, from R-5, Single-Family Residential District, to the zoning of M-2, Light Industrial District, as submitted, and based on the findings of staff that:

- The area has the same zoning with two connecting parcels as the proposed zoning classification;
- The property already provides a required buffer between the residential properties and proposed industrial property;
- The parcel meets the required bulk requirements for an M-2 zoned property and fits the proposed use well;
- The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code;
- The rezoning would enable utilization of a currently unutilized property.

Attached is a copy of the information reviewed by the Commission. This request is forwarded herewith to Council for consideration.

The Public Hearing before Council has been set for the August 1 meeting of Council.

encl.

REZONING APPLICATION, FOR PART OF OUTLOTS 119 AND 120, CONSISTING OF 2.6942 ACRES OF ABANDONED RAILROAD PROPERTY, LOCATED SOUTH OF E. RACE DRIVE, ABUTTING THE LOTS WITH ADDRESSES OF 910 E. RACE DRIVE TO 1112 E. RACE DRIVE. THE REZONING IS FROM R-5, SINGLE-FAMILY RESIDENTIAL DISTRICT, TO THE ZONING OF M-2, LIGHT INDUSTRIAL DISTRICT; OWNER/APPLICANT: HABITAT FOR HUMANITY.

Staff reported: Bill Horstman, Habitat for Humanity Executive Director, has applied for the rezoning of Parcel #D08-096930; the property is zoned R-5, Single Family Residential; request is for M-2, Light Industrial District; property consists of 2.6942 acres located south of Race Dr.; surrounding zoning districts predominately include R-5, Single-Family Residential to the north, east and west and M-3 General Industrial District to the south; in 2010, this property had split zoning of R-5 Single Family Residential and M-3 General Industrial district; Habitat for Humanity had a vision for the property which included an extension of Jeep Street to the west to connect with S. Union St. to develop residential lots and the property was rezoned to only the R-5 district; due to the cost of the project and the large parcel to the south (zoned M-3 General Industrial) not being suitable for residential development, Habitat has opted to abandon the Jeep Street extension project and is proposing the property be rezoned for industrial use as it has previously shared; the rezoning would allow for the contiguous business, Spectracam, to purchase the property for their business; the parcel proposed for rezoning touches Jeep Street which provides frontage (although this portion of Jeep Street is not yet paved); it runs along the south property line of nine residential properties and to the west of one residential property; the impact to the surrounding residential areas will be minimal due to the unique topography and the natural buffer already in place, which consists of an earthen berm and heavy tree density; a buffer between the residential zoning district and the industrial district is required by the City of Troy Zoning Code, the Zoning Code describes the "M-2" Light Industrial District as designed to provide for industrial uses, which can be operated in such a manner as to conform to the applicable performance standards specified in the district; these performance standards regulate such uses in order to prohibit congestion and for the protection of adjacent residential and business activities; the Comprehensive Plan's Future Land Use shows the surrounding area to be predominately residential use with future industrial use to the south; the criteria on which to base a rezoning should be recommended:

(A) Whether the change in classification would be consistent with the intent and purpose of this Zoning Code.

The proposed rezoning is consistent with the Zoning Code, specifically with sections 1131.02(e), and (r). These sections dictate the intent and purpose of the Zoning Code. These sections are listed below:

- 1131.02(e) "To separate incompatible land uses and to cluster compatible and mutually supportive land uses".
- 1131.02(r) "To direct particular land uses to the parcels of land best suited for them..."

The rezoning is consistent with the above listed intentions of the Zoning Code. The Industrial use of the property fits well with the current uses that exist in the area.

(B) Whether the proposed amendment is made necessary because of changed or changing conditions in the area affected, and, if so, the nature of such changed or changing conditions.

The application was not submitted based upon any changing conditions in the area.

(C) Whether the uses that would be permitted on the property if it were reclassified would be compatible with the uses permitted on other property in the immediate vicinity.

The use would be permitted on the existing parcels of land currently zoned M-2 to the proposed rezoning parcel. In addition, the use would also be allowed in the surrounding M-3 zoning district that exists to the south.

(D) Whether adequate utility, sewer, and water facilities, and all other needed public services exist or can be provided to serve the uses that would be permitted on a property if it were reclassified.

All utilities are provided or are available to this parcel.

(E) The amount of vacant land that currently has the same zoning classification as is proposed for the subject property, particularly in the vicinity of the subject property, and any special circumstances, in any, that make a substantial part of such vacant land unavailable for development.

There is no available land zoned M-2 Light Industrial in the area, however, a large parcel of land zoned M-3 General Industrial exists to the south of this parcel.

(F) Whether the proposed amendment would correct an error in the application of this Zoning Code as applied to the subject property.

Not applicable in this request.

Staff did not recommend a public hearing be held by the Commission and recommended approval of the rezoning application based on:

- o The area has the same zoning with two (2) connecting parcels as the proposed zoning classification;
- o The property already provides a required buffer between the residential properties and proposed industrial property;
- o The parcel meets the required bulk requirements for an M-2 zoned property and fits the proposed use well;
- o The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code;
- o The rezoning would enable utilization of a currently unutilized property.

The Commission discussed that there does seem to be a good natural buffer. In response to Mr. Titterington regarding extending the area to be rezoned to Williams Street, it was stated that the rezoning follows the current parceling of the land and Spectracam does not need the area to Williams Street. Mayor Beamish summarized that by Habitat selling this un-needed property will make it possible for Spectracam to expand their

PUBLIC HEARING: A motion was made by Mr. Titterington, seconded by Mr. McGarry, that the Planning Commission not hold a public hearing on the rezoning of part of Outlots 119 and 120.

MOTION PASSED, UNANIMOUS VOTE

REZONING APPLICATION: A motion was made by Mayor Beamish, seconded by Mr. Wolke, that the Troy Planning Commission recommends to Troy City Council that the rezoning be approved for part of Outlots 119 and 120, consisting of 2.6942 acres of abandoned railroad property, located south of E. Race Drive, abutting the lots with addresses of 910 E. Race Drive to 1112 E. Race Drive, from R-5, Single-Family Residential District, to the zoning of M-2, Light Industrial District, as submitted, and based on the findings of staff that:

- o The area has the same zoning with two (2) connecting parcels as the proposed zoning classification;
- o The property already provides a required buffer between the residential properties and proposed industrial property;
- o The parcel meets the required bulk requirements for an M-2 zoned property and fits the proposed use well;
- o The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code;
- o The rezoning would enable utilization of a currently unutilized property.

MOTION PASSED, UNANIMOUS VOTE

TO:	Troy Planning Commission
FROM:	Planning Staff
DATE:	June 22, 2016
SUBJECT:	Rezoning Parcel #D08-096930 Part Out lots 119 and 120
OWNER:	Habitat for Humanity
APPLICANT:	Habitat for Humanity-Bill Horstman, Executive Director

BACKGROUND:

Bill Horstman, Habitat for Humanity Executive Director, has applied for Planning Commission to consider allowing the rezoning of Parcel #D08-096930. Currently the property is zoned R-5, Single Family Residential, and the applicant requests that the zoning of the parcel be rezoned to M-2, Light Industrial District.

The property consists of 2.6942 acres located south of Race Dr. The surrounding zoning districts predominately include R-5, Single-Family Residential to the north, east and west and M-3 General Industrial District to the south. A map depicting the surrounding zoning districts has been attached to this report

DISCUSSION:

In 2010, this property had split zoning of R-5 Single Family Residential and M-3 General Industrial district. Habitat for Humanity had a vision for the property which included an extension of Jeep Street to the west to connect with S. Union St. This project would result with 14 new residential lots with the opportunity of a large scale neighborhood to the south. As a result, the property was rezoned entirely to the R-5 Single Family Residential District.

Due to the cost of the project and the large parcel to the south (zoned M-3 General Industrial) not being suitable for residential development, Habitat has opted to abandon the Jeep Street extension project and is proposing the property be rezoned for industrial use as it has previously shared. The rezoning would allow for the contiguous business, Spectracam, to purchase the property for their business.

The parcel proposed for rezoning touches Jeep Street which provides frontage (although this portion of Jeep Street is not yet paved). The property runs along the south property line of nine (9) residential properties and to the west of one (1) residential property. The impact to the surrounding residential areas will be minimal due to the unique topography and the natural buffer already in place, which consists of an earthen berm and heavy tree density. A buffer between the residential zoning district and the industrial district is required by the City of Troy Zoning Code. Pictures of this area have been attached to this report.

The Zoning Code describes the "M-2" Light Industrial District as designed to provide for industrial uses, which can be operated in such a manner as to conform to the applicable performance standards specified in the district. These performance standards regulate

such uses in order to prohibit congestion and for the protection of adjacent residential and business activities.

A comparison between the permitted uses of the R-5 Residential District and the M-2 Light Industrial districts is included with this report.

The Comprehensive Plan's Future Land Use (Figure 14-4) shows the surrounding area to be predominately residential use with future industrial use to the south.

In reviewing a rezoning proposal, Section 1139.07 outlines the criteria on which to base decisions:

(A) Whether the change in classification would be consistent with the intent and purpose of this Zoning Code.

The proposed rezoning is consistent with the Zoning Code, specifically with sections 1131.02(e), and (r). These sections dictate the intent and purpose of the Zoning Code. These sections are listed below:

- 1131.02(e) "To separate incompatible land uses and to cluster compatible and mutually supportive land uses".
- 1131.02(r) "To direct particular land uses to the parcels of land best suited for them..."

The rezoning is consistent with the above listed intentions of the Zoning Code. The industrial use of the property fits well with the current uses that exist in the area.

(B) Whether the proposed amendment is made necessary because of changed or changing conditions in the area affected, and, if so, the nature of such changed or changing conditions.

The application was not submitted based upon any changing conditions in the area.

(C) Whether the uses that would be permitted on the property if it were reclassified would be compatible with the uses permitted on other property in the immediate vicinity.

The use would be permitted on the existing parcels of land currently zoned M-2 to the proposed rezoning parcel. In addition, the use would also be allowed in the surrounding M-3 zoning district that exists to the south.

(D) Whether adequate utility, sewer, and water facilities, and all other needed public services exist or can be provided to serve the uses that would be permitted on a property if it were reclassified.

All utilities are provided or are available to this parcel.

(E) The amount of vacant land that currently has the same zoning classification as is proposed for the subject property, particularly in the vicinity of the subject property, and any special circumstances, in any, that make a substantial part of such vacant land unavailable for development.

There is no available land zoned M-2 Light Industrial in the area, however, a large parcel of land zoned M-3 General Industrial exists to the south of this parcel.

(F) Whether the proposed amendment would correct an error in the application of this Zoning Code as applied to the subject property.

Not applicable in this request.

PUBLIC HEARING:

Due to the straight forward nature of the rezoning request and the fact that the topography provides protection as a buffer for surrounding residential properties, and that City Council is required to hold a public hearing if the request proceeds on, staff does not feel that a public hearing before the Planning Commission is warranted.

RECOMMENDATION:

Staff is advocating that the Planning Commission recommend approval of the rezoning from R-5, Single Family Residential District to M-2, Light Industrial District, based on the following:

- The area has the same zoning with two (2) connecting parcels as the proposed zoning classification; and
- The property already provides a required buffer between the residential properties and proposed industrial property; and
- The parcel meets the required bulk requirements for an M-2 zoned property and fits the proposed use well; and
- The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code; and
- The rezoning would enable utilization of a currently unutilized property.

Scheduled Planning Commission Meeting
(Held every 2nd and 4th Wednesday of the month at 3:30 p.m.)

Date Requested: June 22, 2016
Applicant(s) scheduled on the agenda will be notified

Office Use Only

Date Filed May 19, 2016
Accepted by Sharon
Filing Fee Pd. 150
Receipt # 20160997

APPLICATION IS DUE TWO (2) WEEKS PRIOR TO MEETING

APPLICATION FOR ZONING AMENDMENT CITY OF TROY PLANNING COMMISSION

(MUST BE TYPED OR PRINTED LEGIBLY IN BLACK INK)

(READ SECTION 1139 OF THE ZONING CODE BEFORE COMPLETING APPLICATION)

An application for an amendment to the City of Troy, Ohio Zoning Code that would change the zoning classification for the property located at Jeep Street extension/Floral Avenue

being lot number(s) D08-096930 from R-5 to M-2
(Parcel Identification Number) (Existing Zoning Classification) (Proposed Zoning Classification)

OWNER

Name Habitat for Humanity
Address 150 East Race Street
City Troy
State Ohio
Zip Code 45373
Phone No. (937) 332-3763
Fax No. Bill Horstman, Executive Director
Email _____

APPLICANT

Name (same)
Address _____
City _____
State _____
Zip Code _____
Phone No. _____
Fax No. _____
Email _____

The applicant is the owner of the property, which is subject to this application.
(State the interest of the applicant)

PLEASE PROVIDE THE FOLLOWING:

1. The reasons for seeking a change in the zoning classification or zoning text: Attach as **EXHIBIT "A"**.
2. The legal description of the land proposed to be reclassified: Attach as **EXHIBIT "B"**.
3. A site plan prepared by a registered engineer, surveyor or architect in duplicate drawn to such scale as to clearly show:
 - a. The actual dimensions of the subject property according to the recorded plat of such property, lot numbers, it's present zoning classification, existing and proposed uses: Attach as **EXHIBIT "C"**.
 - b. The present zoning classification of all surrounding lands located within two hundred and fifty (250) feet of the land proposed to be reclassified: Attach as **EXHIBIT "D"**.
 - c. A list (see example) of the names, addresses, and lot numbers of the owners of property within a radius of two hundred and fifty (250) feet from the parcel or parcels of land proposed to be reclassified: Attach as **EXHIBIT "E"**
 - i. Include one (1) copy of County Tax Maps
 - ii. Include two (2) sets of mailing labels
4. 2 complete sets (Exhibits A-E) reproducible in a format no larger than 11"x17"
5. Filing Fee of \$150.00 made payable to the City of Troy

I HEREBY DEPOSE AND SAY THAT THE ABOVE STATEMENTS AND THE STATEMENTS CONTAINED IN ALL THE EXHIBITS PREPARED BY ME AND TRANSMITTED HERewith ARE TRUE.

[Signature]

(Applicant Signature)

Subscribed and sworn to before me this 26th day of May, 2016

My Commission Expires

[Signature]
(Month/Date/Year)



ALAN M. HAPPERS, Attorney at Law
Notary Public, State of Ohio
My Commission has no expiration
date, Section 412.02 R.C. (This Line)

[Signature]

(Notary Public)

REQUIRED DOCUMENTS:

EXHIBIT A Reasons for Zoning Reclassification
EXHIBIT B Legal Description
EXHIBIT C Site Plan: lot dimensions, lot numbers, current zoning, existing and proposed uses
EXHIBIT D Site Map with Zoning & Owners within 250 feet of parcel
EXHIBIT E Property Owners List within 250 feet of parcel
Labels Two (2) Sets of Mailing Labels of Property Owners
Copies (1) Complete Sets in a reproducible format 11"x17"
Map(s) One (1) County Tax Map(s)
Filing Fee Check issued to City of Troy for \$150.00

Additional Documentation (List):

(15) Cc

PLANNING COMMISSION DISPOSITION:

PUBLIC HEARING DATE

RECOMMENDATION TO CITY COUNCIL

CITY COUNCIL DISPOSITION:

1st Reading: 2nd: 3rd: PUBLIC HEARING DATE

COUNCIL COMMITTEE RECOMMENDATION

Approved: Denied: CITY COUNCIL ACTION

Ordinance Number:

Revised 10/25/11

EXHIBIT A

REASON FOR ZONING CHANGE

Applicant had previously received a zoning change for this real estate from split zoning (R-5/M-3) to R-5 when it purchased the real estate. It was purchased with the intention of extending Jeep St. and developing the property into lots for its programs. Applicant has determined that the development will not take place since the extension of Jeep St. is not financially feasible. So it would like to sell the real estate.

Applicant has entered into a sales agreement with the owner of Spectracam for the Purchase of this real estate. This real estate is contiguous to the current Spectracam real estate, which is zoned M-2. Spectracam wishes to use this real estate as a parking lot and storage area for its business. The sales agreement is conditioned upon the rezoning of this real estate. Thus, Applicant requests that the real estate's zoning be changed from R-5 to M-2.

EXHIBIT B

LEGAL DESCRIPTION

(See Attached)



Situate in the State of Ohio, County of Miami, City of Troy and being parts of Outlots 119 and 120, in said City, more particularly described as follows:

Beginning at an iron pin which marks the Southeast corner of Inlot 3177 in Cloverdale Addition as shown on Miami County Recorder's Record of Plats Book 4, Page 77; thence South $53^{\circ} 54' 05''$ East with the North line of the CSX Railroad right-of-way same being the South line and extension of the South line of Cloverdale Addition, a total distance of 30.0 feet to a P.K. nail in the centerline of Floral Avenue same being the place of beginning of the parcel herein described;

Thence South $34^{\circ} 31' 29''$ West with the centerline of Floral Avenue, a total distance of 99.71 feet to a P.K. nail at the intersection with the North line of Jeep Street extended, witness an iron pin 30.0 feet distant on line next described which marks the Northwest corner of Floral Avenue and Jeep Street;

Thence North $53^{\circ} 55' 25''$ West with the South line of the abandoned railroad right-of-way same being the North right-of-way line of Jeep Street and the extension thereof, a total distance of 851.35 feet to an iron pin marking the P.C. of a curve to the left having a radius of 2814.93 feet;

Thence Northwesterly along the South right-of-way of said railroad with said curve to the left a total arc distance of 319.33 feet to an iron pin, the central angle of this arc is $6^{\circ} 29' 59''$ and the long chord of this arc bears North $57^{\circ} 10' 19''$ West and is 319.16 feet in length;

Thence North $29^{\circ} 34' 41''$ East crossing said railroad right-of-way a total distance of 100.00 feet to an iron pin;

Thence Southeasterly with a curve to the right having a radius of 2914.93 feet along the North right-of-way line of said abandoned railroad a total arc distance of 330.67 feet to an iron pin marking the P.T. of said curve the central angle of this arc is $6^{\circ} 29' 59''$ and the long chord of this arc bears South $57^{\circ} 10' 19''$ East a total distance of 330.49 feet;

Thence South $53^{\circ} 54' 05''$ East with the North right-of-way line of said abandoned railroad and the South line of Cloverdale Addition and adjacent platted area, a total distance of 848.65 feet to the place of beginning.

The above described parcel contains a total of 2.6942 acres of which 1.5266 acres is a part of Outlot 120 and 1.1676 acres is a part of Outlot 119.

Description prepared by Richard W. Klockner, Professional Surveyor #4370, in accordance with a survey filed in the Miami County Engineer's Record of Lot Surveys Volume 23, Page 33.

EXCEPTING THE FOLLOWING DESCRIBED REAL ESTATE:

Situate in the City of Troy, County of Miami, in the State of Ohio and being part of Outlot 120 in said City, more particularly described as follows:

Beginning at an iron pin which marks the southeast corner of Inlot 3177 in Cloverdale as shown on Miami County Recorder's Record of Plats Book 4, Page 77; thence South $53^{\circ} 54' 09''$ East with the North line of the former CSX Railroad right-of-way same being the South line and extension of the South line of Cloverdale Addition, a total distance of 30 feet to a P.K. nail in the centerline of Floral Avenue, same being the place of beginning of the parcel herein described;

Thence South $34^{\circ} 31' 30''$ West with the centerline of Floral Avenue, a total distance of 99.71 feet to a P.K. nail at the intersection with the North line of Jeep Street extended; witness an iron pin 30 feet distant on line next described which marks the northwest corner of Floral Avenue and Jeep Street;

Thence North $53^{\circ} 55' 25''$ West with the South line of the abandoned railroad right-of-way same being the North right-of-way line of Jeep Street a total distance of 562 feet to an iron pin set; thence North $36^{\circ} 04' 35''$ East a distance of 99.89 feet to an iron pin set at a point on the South line of the Cloverdale Addition and the former North line of the CSX Railroad right-of-way; thence South $53^{\circ} 54' 09''$ East along the South line and extension of Cloverdale Addition same being the North line of the former CSX Railroad right-of-way a total distance of 559.3 feet to a P.K. nail found in the centerline of Floral Avenue to the place of beginning.

The above described tract contains a total of 1.2842 acres of Outlot 120 and now known as Carpenter's Corner Section One as shown on Plat Book 19, Page 16 of the Miami County Recorder's Plat Records.

EXHIBIT C

SUBJECT PROPERTY DIMENSION, ETC.

(See Attached)

008-4000

NEEDS
NOT TO SEE
SEE LOT 1

CSX
PT. 117

PT.
O.L. 117
0327 AC.

PT. 119

225.70

O.L. 121 & 244
O.L. 121 & 244
O.L. 121 & 244

VOL. 4 PG. 110
VOL. 5 PG. 3
VOL. 7 PG. 159

PT. O.L. 119
10.523 AC.
Five Charges
DB 26-159

Habitat
DB 700-310

SEA
JEOP
STREET
PLAY
64

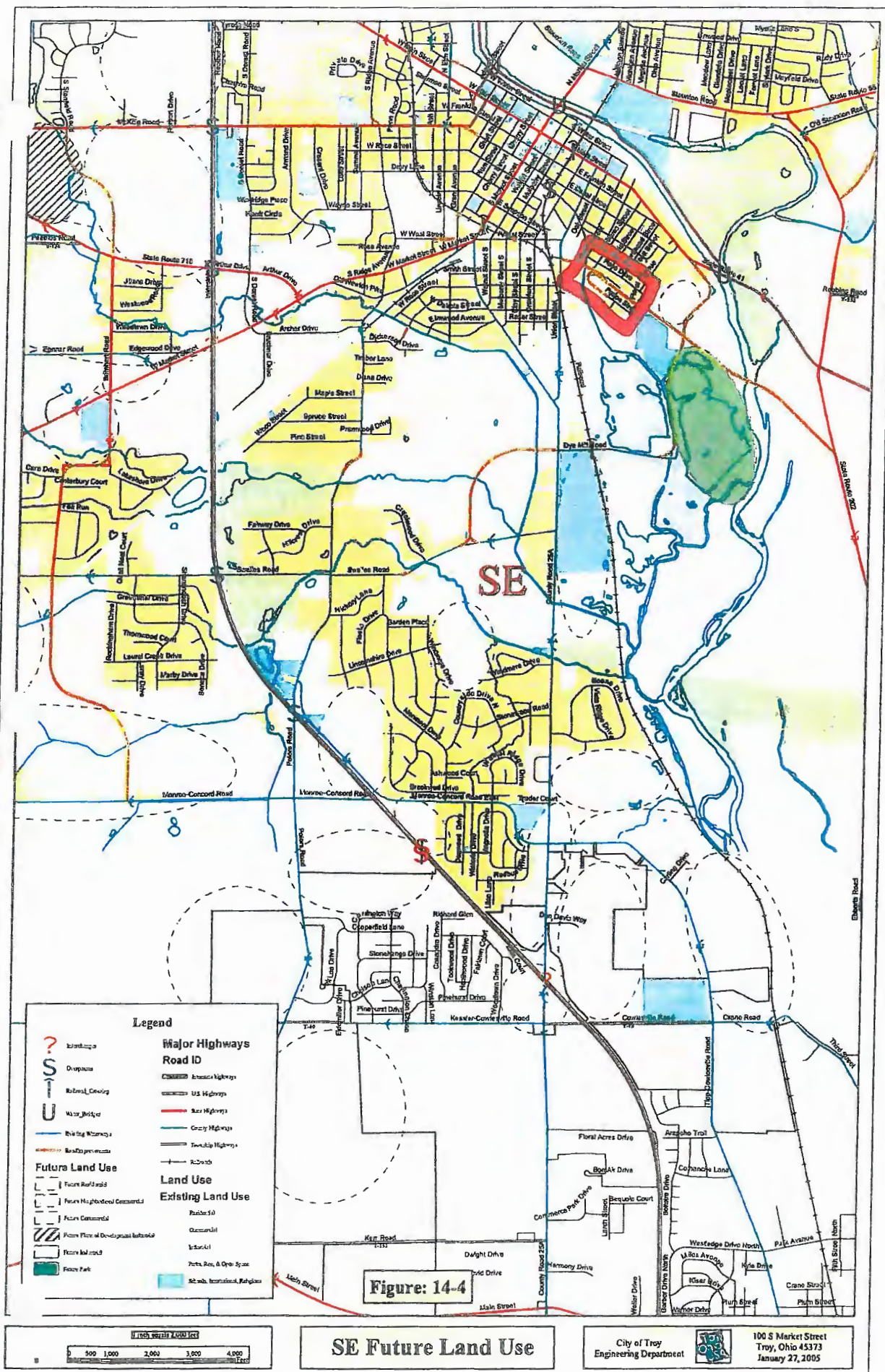
PATTON ST.

110.00
20.00

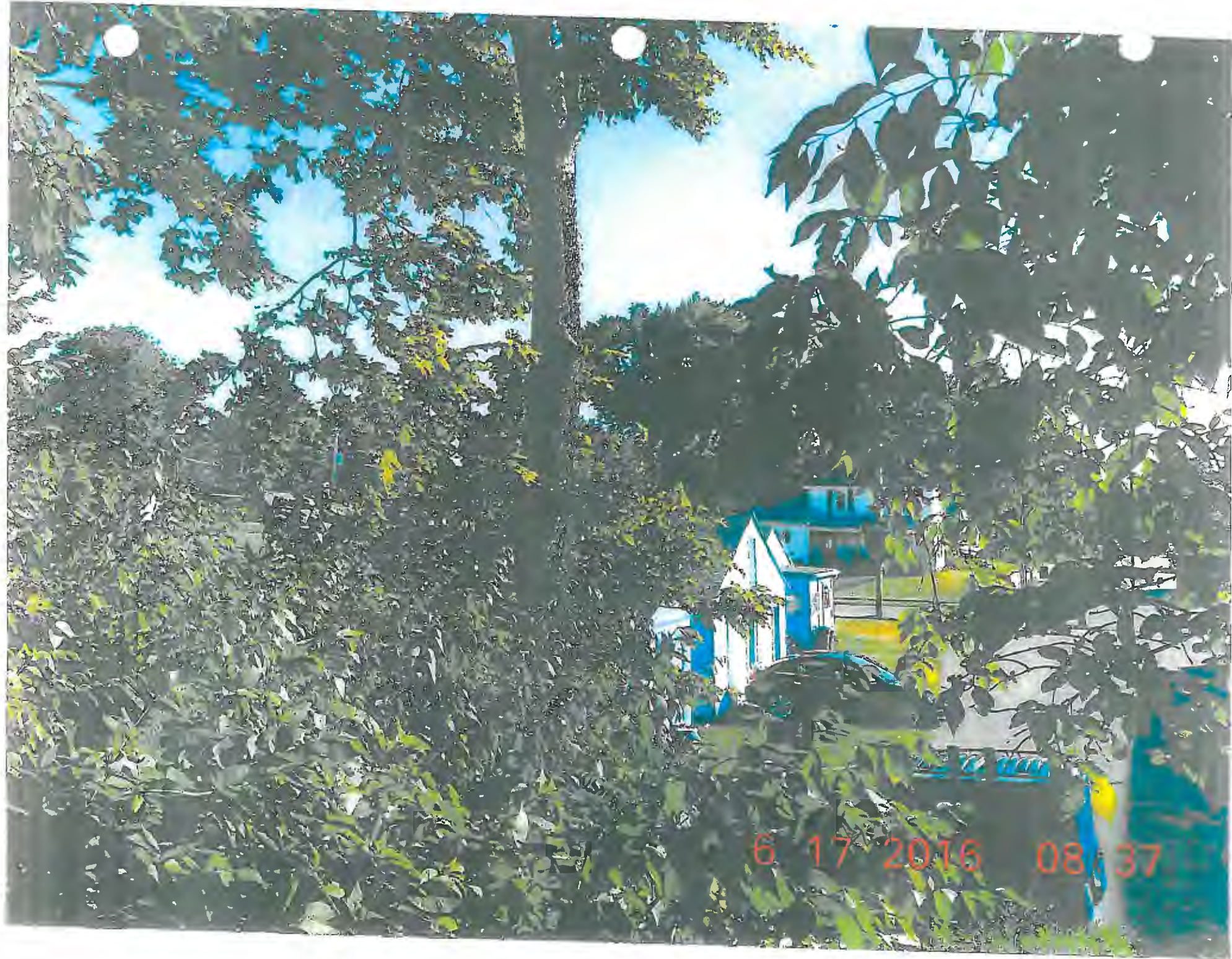
SEE
19-10
17-11-11

Proposed Jeep Street Extension

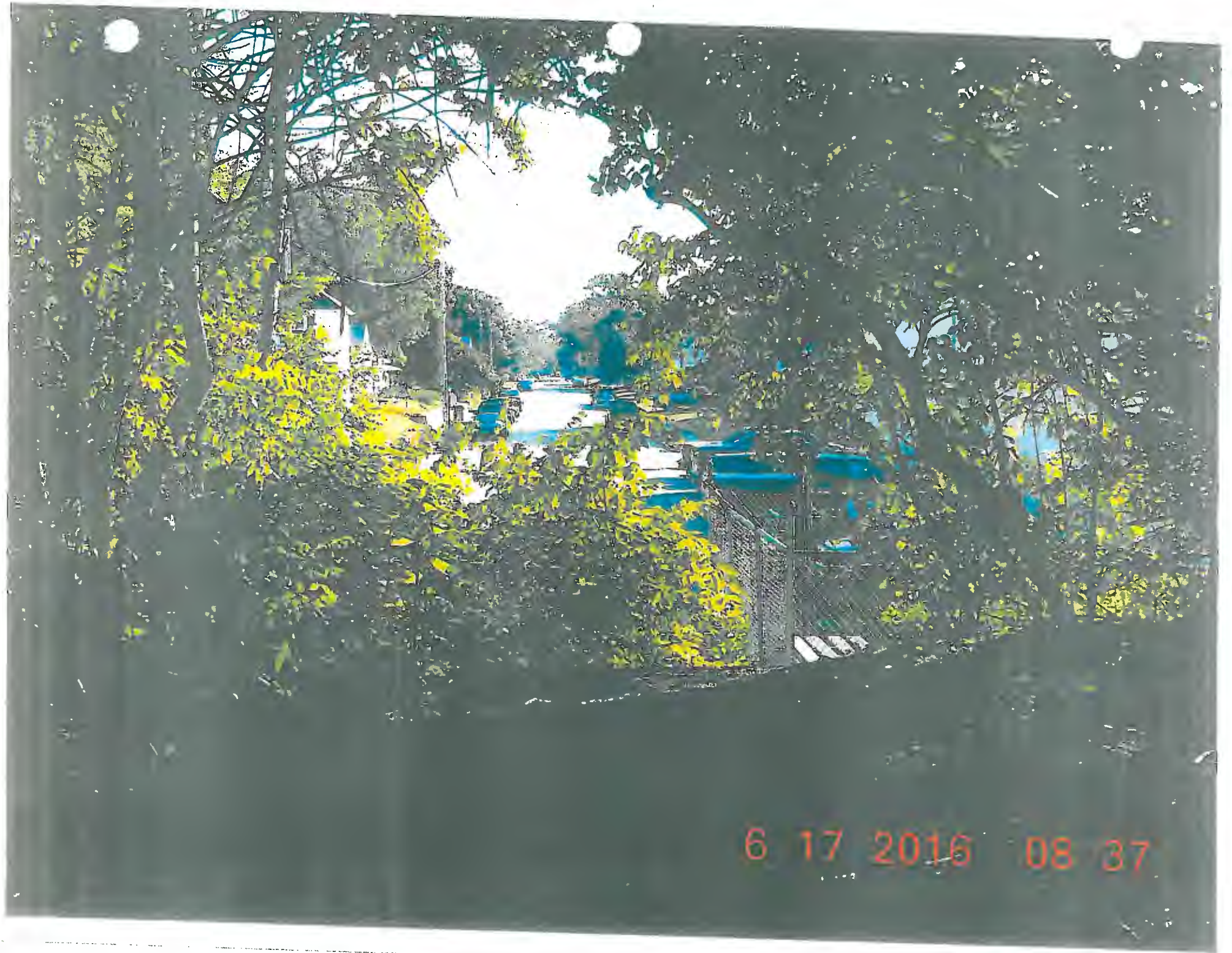








6 17 2016 08:37



6 17 2016 08 37









City of Troy Planning & Zoning Map

and Parcel Data

Esri World Geocoder



M-2 Principal Permitted Uses

- Agricultural implement sales and service.
- Agricultural uses.
- Auction sales.
- Automobile fuel dispensing station.
- Automobile parking garages.
- Automobile parking lots.
- Automobile repair garages – including body work.
- Bakeries – wholesale sales.
- Beverage distributors and bottling plants.
- Bone, canvas, cellophane, clay, cloth, cork, feathers, felt – manufacturing, assembling treatment.
- Building material sales and storage facilities.
- Carpentry shops.
- Cash advance businesses.
- Cement block and formed products manufacturing.
- Cold storage plants.
- Commercial greenhouses and nurseries.
- Contractor sales, storage and equipment yards.
- Crematoriums (pet and human).
- Dairy and food product processing and packaging.
- Driver training schools (trucks).
- Dry cleaning – commercial.
- Electrical and electronic products, components and equipment – manufacturing, assembling or repair.
- Equipment rental services, including cars, trucks and trailers.
- Exterminating services.
- Fiber, fur, glass, hair, horn, leather, paper, plastics, rubber, precious or semi-precious stone or metal.
- Food brokers – retail, wholesale and storage without processing.
- Frozen food lockers.
- Garden stores.
- Government buildings, structures, or premises used exclusively by governments
- Government buildings, structures, or premises used exclusively by governments
- Heating, A/C, electric and plumbing sales, service and repair.
- Liquid fuel, petroleum products, petroleum, and volatile oils – bulk storage stations.
- Machine shops, tool and die shops.
- Machinery and heavy equipment rental, sales and storage.
- Manufacturing, assembling or repair of medical, dental, optical and similar precision instruments.
- Meat processing and packaging, exclusive of slaughtering.
- Medical and dental laboratories.
- Metal products, excluding structural steel and foundry products or prepared materials
- Moving and storage companies.
- Musical instruments – manufacturing, assembling or repair.
- Novelties, toys and rubber products – manufacturing, assembling or repair.
- Pawn shops.
- Pharmaceutical products, including cosmetics, toiletries and perfumes.
- Pool Halls.
- Printing, publishing, binding and typesetting plants.
- Private clubs.
- Public utility.
- Railroad stations, depots, train yards, classification yards and team tracks.
- Research and engineering laboratories.
- Sales offices and service centers.
- Sawing and planing mills.
- Sexually oriented business.
- Sign painting and manufacture.
- Stone products processing and manufacturing.
- Tattoo parlors.
- Truck fuel dispensing stations.
- Truck repair facility.
- Truck sales and service.
- Truck washing facility.
- Trucking and motor freight terminals.
- Watches and clocks, including clock operated devices – manufacturing, assembling or repair.
- Water filtration plants and pumping stations.
- Wholesale houses, warehouse and other storage facilities

R-5 Principal Permitted Uses

- Adult Family Home.
- Churches, chapels, temples, synagogues.
- Family Home.
- Foster Family Home.
- Public parks, playgrounds and community centers.
- Public utility.
- Schools – primary, intermediate and secondary – public or
- Single family dwellings.

ORDINANCE No. O-41-2016

Dawson Legal Block, Inc.

ORDINANCE AUTHORIZING THE USE OF PUBLIC AREAS FOR THE 2016 TASTE OF TROY EVENT, NOTWITHSTANDING CONFLICTING PROVISIONS OF THE TROY CODIFIED ORDINANCES, AND FURTHER APPROVING THE USE OF A PORTION OF THE AREA FOR THE SALE OF BEER AND WINE, SUBJECT TO THE ISSUANCE OF PROPER PERMITS BY THE STATE OF OHIO AND PROCUREMENT OF LIQUOR LIABILITY INSURANCE AND AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO AN AGREEMENT THEREFOR, AND DECLARING AN EMERGENCY

WHEREAS, Troy Main Street, Inc. has requested that the 2016 annual "Taste of Troy" event be held in a portion of the downtown area as shown on the attached map marked Exhibit "A", on Saturday September 10, 2016, from 11:00 AM to 8:00 PM and that such event be permitted to include an enclosed area set aside as a beer and wine garden for the sale of beer and wine during the hours of said event, as shown on attached exhibit "A"; and

WHEREAS, permitting such event as requested may be otherwise contrary to some provisions of the Troy's codified ordinances; and

WHEREAS, Troy Main Street, Inc. has agreed that such event will be cost neutral to the City; and

WHEREAS, it would be necessary and prudent for the City of Troy, through its Director of Public Service and Safety to enter into an agreement regarding the 2016 Taste of Troy event.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Troy, as follows:

SECTION I: That the Director of Public Service and Safety of the City of Troy, Ohio is hereby authorized to establish terms and conditions for the use of the public areas shown on "Exhibit A", as the site for the 2016 Taste of Troy event, notwithstanding any provisions of the Troy Codified Ordinances which would prohibit portions of the event deemed proper by the Director of Public Service and Safety of the City of Troy, Ohio.

SECTION II: That the sale and consumption of beer and wine on the public areas of downtown Troy, shown as the "beer and wine garden" within the event area shown on "Exhibit A" attached hereto, by Troy Main Street, Inc. is authorized on Saturday September 10, 2016 from 11:00 AM to 8:00 PM, pursuant to proper permits issued by the State of Ohio and submission of a liquor liability insurance policy naming the City of Troy either as the named insured or as additionally insured with limits of no less than One Million Dollars and no/100 (\$1,000,000.00).

SECTION III: That the 2016 Taste of Troy event shall be cost neutral to the city of Troy, and Troy Main Street, Inc. shall reimburse the City for the City's costs expended incident to the event.

SECTION IV: That the Director of Public Service and Safety of the City of Troy, Ohio is hereby authorized to enter into an agreement with the Troy Main Street, Inc. based upon the terms and conditions herein provided, plus other terms and conditions he deems necessary, regarding the 2016 Taste of Troy event.

SECTION V: That this Ordinance is an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the City of Troy, Ohio, and for the further reason that Troy Main Street needs to plan for the Taste of Troy event to be held September 10, 2016, NOW, WHEREFORE, this Ordinance shall be effective immediately upon its adoption and approval by the Mayor.

Adopted: _____

President of Council

Approved: _____

Attest: _____
Clerk of Council

Mayor

Exhibit "A"



ORDINANCE No. O-42-2016

Dayton Legal Blank, Inc.

**ORDINANCE CHANGING THE ZONING OF INLOT
7504 (PARCEL DO8-101146) IN THE CITY OF
TROY, OHIO, FROM THE ZONING OF M-2, LIGHT
INDUSTRIAL DISTRICT, TO B-2 GENERAL
BUSINESS DISTRICT**

WHEREAS, a request for zoning change was presented to the Planning Commission of the City of Troy, Ohio, to rezone Inlot 7504 (Parcel # DO8-101146) in the City of Troy, and

WHEREAS, the Planning Commission of the City of Troy, Ohio, has reviewed the plan and recommended approval, and

WHEREAS, at least thirty days notice of the public hearing of said change has been provided in a newspaper of general circulation,

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Troy, Ohio as follows:

SECTION I: That the zoning of Inlot 7504 (Parcel # DO8-101146), and as shown on Exhibit A attached hereto, be changed from the zoning of M-2, Light Industrial District, to the zoning of B-2, General Business District, is hereby approved.

SECTION II: That this Ordinance shall be effective at the earliest date allowed by law.

Adopted: _____

President of Council

Approved: _____

Attest: _____

Clerk of Council

Mayor

EXHIBIT "A"

Situate in the State of Ohio, County of Miami and City of Troy, to-wit:

Being all of Inlot #7504 in said City of Troy, excepting therefrom the following described real property:

Situate in the State of Ohio, County of Miami, City of Troy and being a part of Inlot 7504 in said City more particularly described as follows:

Beginning at a corner stone which marks the Southeast corner of Inlot 7505, thence North 89° 00' 19" West with the South line of Inlot 7505 a total distance of 162.92 feet to an iron pin which marks the Northeast corner of Inlot 7504; thence North 88° 59' 20" West with the line between Inlots 7505 and 7504 a total distance of 423.26 feet to an iron pin which marks the place of beginning of the part of Inlot 7504 herein described; thence South 31° 55' 35" West, 93.36 feet to a P.K. nail in the centerline of West Main Street, witness an iron pin 50.0 feet distant on line last described; thence North 58° 04' 25" West with the centerline of West Main Street, same being the South line of Inlot 7504, a total distance of 155.90 feet to a P.K. nail marking the West corner of Inlot 7504, witness an iron pin 97.32 feet distant on line next described; thence South 88° 59' 20" East with the line between Inlots 7505 and 7504, a total distance of 181.72 feet to the place of beginning.

The above described part of Inlot 7504 contains a total of 0.1671 acres of which 0.1310 acres is in highway right-of-way leaving a net area of 0.0361 acres, same being subject to all legal easements and restrictions of record.

Description prepared by Richard W. Klockner, Professional Surveyor #4370, in accordance with a survey filed in the Miami County Engineer's Record of Lot Surveys Volume 20, Page 93.

The above described premises are subject to an easement to the City of Troy, dated February 12, 1993, recorded in Volume 641, Page 186, Miami County, Ohio Deed Records and an easement to the City of Troy, dated November 15, 1993, recorded in Volume 648, Page 48, Miami County, Ohio Deed Records.



MEMORANDUM

TO: Mrs. Baker, President, Troy City Council

FROM: Sue Knight, for the Troy Planning Commission

DATE: August 4, 2016

SUBJECT: **REPORT OF THE PLANNING COMMISSION ON THE REZONING OF 2569 W. MAIN STREET, (PARCEL DO8-101146, INLOT NUMBER 7504) FROM M-2, LIGHT INDUSTRIAL DISTRICT, TO B-2 GENERAL BUSINESS DISTRICT; OWNERS ARE DOUGLAS & JACQUELINE LILICRAP AND ROBERT & MEGAN LILICRAP; APPLICANTS WEN CHUN & YANSING HSIANG**

On July 27, 2016, the Troy Planning Commission considered the rezoning of Inlot 7504, Parcel # DO8-101146) from M-2, Light Industrial District, to B-2, General Business District. This is the address of 2569 W. Main Street. The parcel consists of 1.689 acres. The property owners are Douglas K. & Jacqueline A. Lillicrap and Robert W. & Megan L. Lillicrap. The applicants are Wen Chun and Yanging Hsiang, prospective owners of the parcel. The structure on the parcel is currently vacant, but was previously used as a residence. The Commission was advised that the prospective owners plan to use the structure as a restaurant initially and later to include the sale of whole foods.

The Planning Commission determined not to hold a public hearing on this rezoning application.

By unanimous vote, the Troy Planning Commission recommends to Troy City Council that Inlot 7504, Parcel DO8-101146, with the address of 2569 W. Main Street, be rezoned from M-2, Light Industrial District, to B-2, General Business District, based on the findings of staff that:

- The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code;
- The proposed rezoning is consistent with the surrounding zoning districts;
- The proposed rezoning is consistent with the City of Troy Comprehensive Plan.

Attached is a copy of the information reviewed by the Commission. This request is forwarded herewith to Council for consideration.

The Public Hearing before Council has been set for the September 6 meeting of Council.

encl.

TO:	Troy Planning Commission
FROM:	Planning Staff
DATE:	July 27, 2016
SUBJECT:	Rezoning: D08-101146 (1.689 ac.)
OWNER:	Douglas Lillicrap
APPLICANT: Wen Chun and Yanging Hsiang	

BACKGROUND:

Wen Chun and Yanging Hsiang, prospective owners, have applied for Planning Commission to consider the rezoning of parcel D08-101146 (1.689 ac.) located at 2569 W. Main St. Currently, the property is county zoned M-2 Light Industrial District and the applicant requests that the zoning of the parcel be rezoned to city zoning of B-2 General Business District. A letter supporting this rezoning from the owners is included with this report.

This property was most recently used as a residence but is currently vacant. It lays between parcels of city zoned M-2 Light-Industrial to the north and west, B-2 General Business to the east and OR-1 Office Residential and R-5 Single family Residential across W. Main St. to the south. A map depicting the surrounding city zoning districts has been attached to this report.

DISCUSSION:

The applicant has cited that the reason for the proposed rezoning is to seek a change that will be consistent with the adjoining properties to the east of this parcel for a future use not compatible with the M-2 Light Industrial District.

The Zoning Code describes the proposed B-2 zoning district is "intended to provide for the development of major retail shopping areas and centers outside the downtown area. These districts include much of the strip commercial property existing along the major streets of the City."

Attached to this report is a list of all the B-2 General Business zoning districts uses.

The Comprehensive Plan's NW Future Land Use Map (Figure 14-3) displays this property as a mix of commercial and industrial uses. Figure 14-3 has been attached to this report.

In reviewing a rezoning proposal, Section 1139.07 outlines the criteria on which to base decisions:

(A) Whether the change in classification would be consistent with the intent and purpose of this Zoning Code.

The proposed rezoning is consistent with the Zoning Code. Section 1131.02(o) & (r) state the purposes of the Zoning Code are to preserve and enhance property value, and direct particular land uses to the parcel of land best suited for them. The proposed rezoning request achieves these purposes.

(B) Whether the proposed amendment is made necessary because of changed or changing conditions in the area affected, and, if so, the nature of such changed or changing conditions.

The proposed rezoning is not made necessary because of changing conditions in the affected area. The allowed uses in the B-2 General Business district will not have any adverse effects in the area and is consistent with the commercial zoning that exists to the east.

(C) Whether the uses that would be permitted on the property if it were reclassified would be compatible with the uses permitted on other property in the immediate vicinity.

The allowed uses in the proposed B-2 General Business district will match the permitted uses that are currently allowed on the properties located to the east.

(D) Whether adequate utility, sewer, and water facilities, and all other needed public services exist or can be provided to serve the uses that would be permitted on a property if it were reclassified.

All utilities can be provided.

(E) The amount of vacant land that currently has the same zoning classification as is proposed for the subject property, particularly in the vicinity of the subject property, and any special circumstances, in any, that make a substantial part of such vacant land unavailable for development.

No vacant land with the B-2 General Business district exists in the vicinity of this parcel.

(F) Whether the proposed amendment would correct an error in the application of this Zoning Code as applied to the subject property.

Not applicable in this request.

PUBLIC HEARING:

Due to the straight forward nature of the rezoning request, the compliance with the City of Troy Comprehensive Plan, the compatibility of the proposed zoning matching the zoning of surrounding properties, and the fact that City Council is required to hold a

public hearing if the request proceeds on, staff does not feel that a public hearing before the Planning Commission is warranted.

RECOMMENDATION:

Staff is recommending that the Planning Commission recommend approval of the proposed rezoning from M-2 Light Industrial to city zoned B-2 General Business, based on the following:

- The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code; and
- The proposed rezoning is consistent with the surrounding zoning districts; and
- The proposed rezoning is consistent with the City of Troy Comprehensive Plan.

Date Requested: _____
Applicant(s) scheduled on the agenda will be notified

Once Use Only
Date Filed _____
Accepted by _____
Filing Fee Pd. _____
Receipt # _____

APPLICATION IS DUE TWO (2) WEEKS PRIOR TO MEETING

APPLICATION FOR ZONING AMENDMENT
CITY OF TROY PLANNING COMMISSION
(MUST BE TYPED OR PRINTED LEGIBLY IN BLACK INK)

(READ SECTION 1139 OF THE ZONING CODE BEFORE COMPLETING APPLICATION)

An application for an amendment to the City of Troy, Ohio Zoning Code that would change the zoning classification for the property located at 2569 SR #41 Troy, Ohio 45373

being lot number(s) D08-101146 from M-2 to B-2
(Parcel Identification Number) (Existing Zoning Classification) (Proposed Zoning Classification)

OWNER

APPLICANT

Name Douglas Lillcrup
Address 9155 North Piqua Lockin Rd.
City Piqua
State Ohio
Zip Code 45356
Phone No. 937-418-2838
Fax No. _____
Email djLillcrup@yahoo.com

Name Wen Chun Yang & Yangqing Hsiang
Address 1239 East Ash St.
City Piqua
State Ohio
Zip Code 45356
Phone No. 937-773-6862
Fax No. _____
Email yangqing13525@me.com

The applicant is the Douglas of the property, which is subject to this application.
(State the interest of the applicant)

PLEASE PROVIDE THE FOLLOWING:

1. The reasons for seeking a change in the zoning classification or zoning text: Attach as **EXHIBIT "A"**.
2. The legal description of the land proposed to be reclassified: Attach as **EXHIBIT "B"**.
3. A site plan prepared by a registered engineer, surveyor or architect in duplicate drawn to such scale as to clearly show:
 - a. The actual dimensions of the subject property according to the recorded plat of such property, lot numbers, it's present zoning classification, existing and proposed uses: Attach as **EXHIBIT "C"**.
 - b. The present zoning classification of all surrounding lands located within two hundred and fifty (250) feet of the land proposed to be reclassified: Attach as **EXHIBIT "D"**.
 - c. A list (see example) of the names, addresses, and lot numbers of the owners of property within a radius of two hundred and fifty (250) feet from the parcel or parcels of land proposed to be reclassified: Attach as **EXHIBIT "E"**
 - i. Include one (1) copy of County Tax Maps
 - ii. Include two (2) sets of mailing labels
4. 2 complete sets (Exhibits A-E) reproducible in a format no larger than 11"x17"
5. Filing Fee of \$150.00 made payable to the City of Troy

I HEREBY DEPOSE AND SAY THAT THE ABOVE STATEMENTS AND THE STATEMENTS CONTAINED IN ALL THE EXHIBITS PREPARED BY ME AND TRANSMITTED HERewith ARE TRUE.

Subscribed and sworn to before me this 11th day of July, 2016

Walter King
Yanqing H. (Applicant Signature)

My Commission Expires APR 17, 2017
(Month/Date/Year)



JAMES A. DANDO, Notary Public
In and for the State of Ohio
My Commission Expires Apr. 17, 2017
Recorded in Miami County

James A. Dando
(Notary Public)

(For Office Use Only - Do Not Write Below This Line)

REQUIRED DOCUMENTS:

EXHIBIT A	Reasons for Zoning Reclassification
EXHIBIT B	Legal Description
EXHIBIT C	Site Plan: lot dimensions, lot numbers, current zoning, existing and proposed uses
EXHIBIT D	Site Map with Zoning & Owners within 250 feet of parcel
EXHIBIT E	Property Owners List within 250 feet of parcel
Labels	Two (2) Sets of Mailing Labels of Property Owners
Copies	(1) Complete Sets in a reproducible format 11"x17"
Map(s)	One (1) County Tax Map(s)
Filing Fee	Check issued to City of Troy for \$150.00

Additional Documentation (List):

(15)

PLANNING COMMISSION DISPOSITION:

PUBLIC HEARING DATE

RECOMMENDATION TO CITY COUNCIL

CITY COUNCIL DISPOSITION:

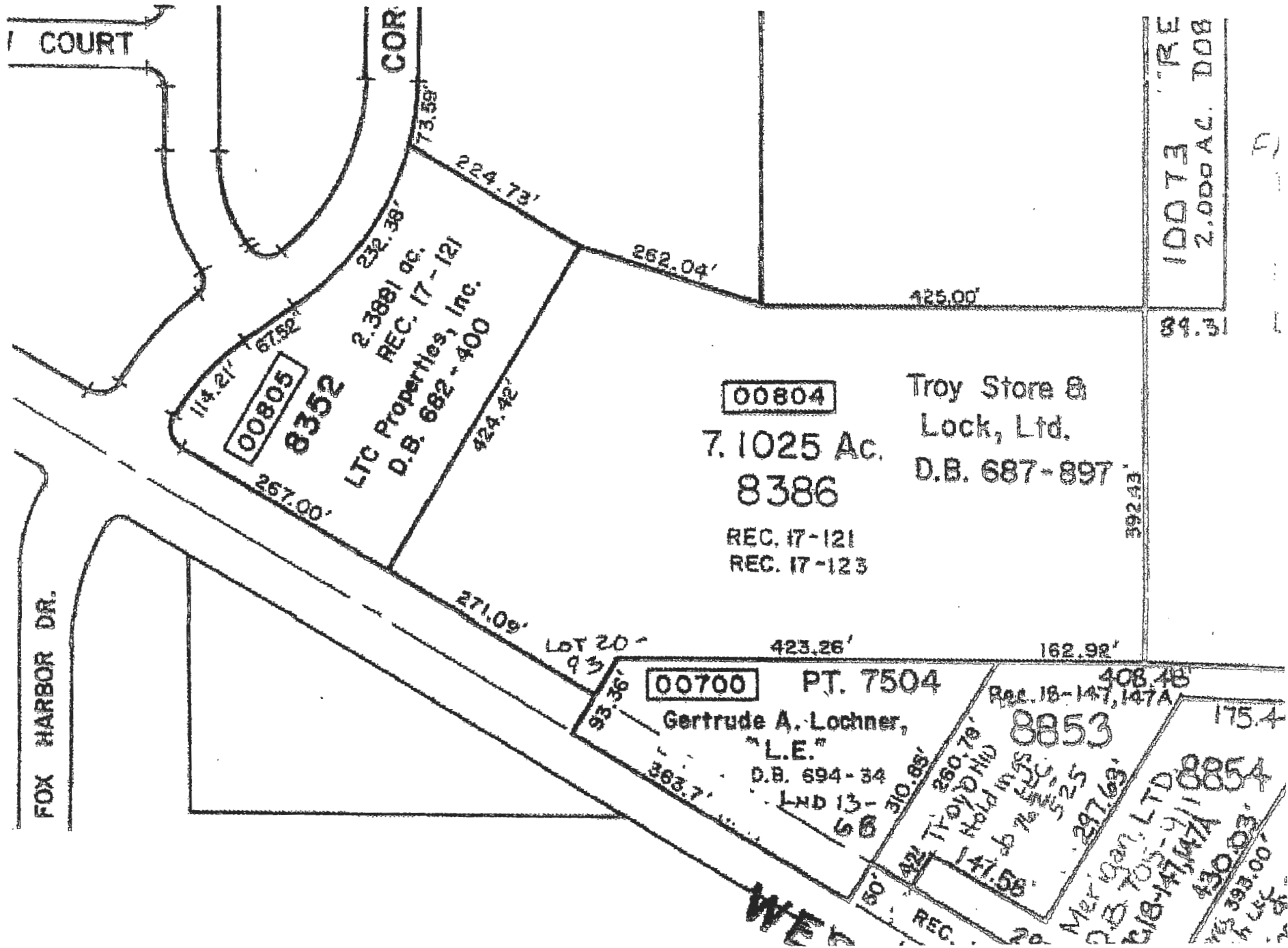
1st Reading: 2nd: 3rd: PUBLIC HEARING DATE

COUNCIL COMMITTEE RECOMMENDATION

Approved: Denied: CITY COUNCIL ACTION

Ordinance Number:

Revised 10/25/11





8 0 0 8 3 5 9
Tx:4004948

3NC

Van Houten

GENERAL WARRANTY DEED

FREDDIE M. LOCHNER, unmarried, and ANNETTE E. FINKELDEI fka ANNETTE E. LOCHNER, married, for valuable consideration paid, grant with general warranty covenants, to DOUGLAS K. LILICRAP and JACQUELINE A. LILICRAP, husband and wife and ROBERT W. LILICRAP and MEGAN L. LILICRAP, husband and wife, for their joint lives, with the remainder to the survivor of them, whose tax-mailing address is 9155 N. Piqua Lockington Road, Piqua, OH 45356 the following described real property:

SEE ATTACHED EXHIBIT "A"

SUBJECT TO all easements, conditions, restrictions and limitations of record and all legal highways, and excepting from the warranty hereof taxes and assessments due and payable December, 2014 and thereafter.

Parcel No. D08-101146
Prior Deed Reference: Instrument No. 2014OR07475 of the Miami County records.

SCOTT FINKELDEI, husband of Grantor ANNETTE E. FINKELDEI fka ANNETTE E. LOCHNER relinquishes all rights of dower.

EXECUTED this 23rd day of September, 2014.

MIAMI COUNTY RECORDER
JESSICA A. LOPEZ
2014OR11301
PRESENTED FOR RECORD
MIAMI COUNTY, TROY, OHIO
10/10/2014 09:10:38 AM
REFERENCES 0
RECORDING FEE \$6.00
PAGES: 3

x *Freddie M. Lochner*
FREDDIE M. LOCHNER

STATE OF New Hampshire) SS
COUNTY OF Hillsborough

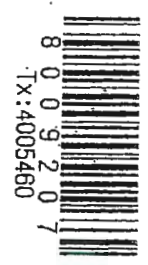
BE IT REMEMBERED, that on this 23rd day of September, 2014, before me, the subscriber, a Notary Public in and for said County and State, personally came **FREDDIE M. LOCHNER, unmarried**, and acknowledged the signing of the foregoing instrument, and that the same is his voluntary act and deed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal on the day and year first above written.

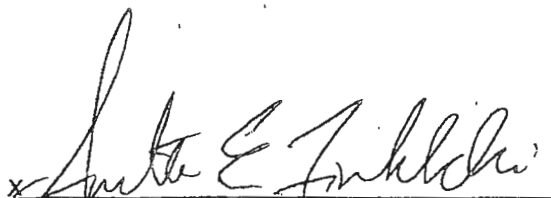
TRANSFERRED	
In compliance with ORC 319.202	
MATTHEW W. GEARHARDT, Miami Co. Auditor	
<i>Mindy Dorek</i>	
OCT 27 2014	
Total Fee:	\$ 250.00
ORC 319.54	\$ 125.00
ORC 322.02	\$ 125.00
EXEMPT	

504

Judith A. Boileau
Notary Public
JUDITH A. BOILEAU
Notary Public - New Hampshire
My Commission Expires August 22, 2017



8 0 0 9 2 0 7
Tx:4005460

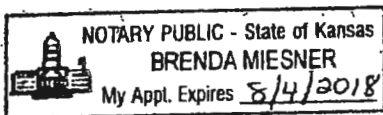

ANNETTE E. FINKELDEI *aka* ANNETTE E.
LOCHNER

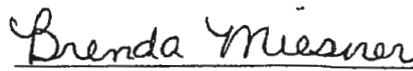

SCOTT FINKELDEI

STATE OF Kansas)
COUNTY OF Piley) SS

BE IT REMEMBERED, that on this 24 day of September, 2014, before me, the subscriber, a Notary Public in and for said County and State, personally came **ANNETTE E. FINKELDEI *aka* ANNETTE E. LOCHNER and SCOTT FINKELDEI, wife and husband**, and acknowledged the signing of the foregoing instrument, and that the same is their voluntary act and deed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal on the day and year first above written.




Notary Public

This instrument prepared by:
Scott A. Liberman, Esq.
Attick & Corwin Co., L.P.A.
One South Main Street
Suite 1590
Dayton, Ohio 45402

EXHIBIT "A"

Situate in the State of Ohio, County of Miami and City of Troy, to-wit:

Being all of Inlot #7504 in said City of Troy, excepting therefrom the following described real property:

Situate in the State of Ohio, County of Miami, City of Troy and being a part of Inlot 7504 in said City more particularly described as follows:

Beginning at a corner stone which marks the Southeast corner of Inlot 7505, thence North 89° 00' 19" West with the South line of Inlot 7505 a total distance of 162.92 feet to an iron pin which marks the Northeast corner of Inlot 7504; thence North 88° 59' 20" West with the line between Inlots 7505 and 7504 a total distance of 123.26 feet to an iron pin which marks the place of beginning of the part of Inlot 7504 herein described; thence South 31° 55' 35" West, 93.36 feet to a P.K. nail in the centerline of West Main Street, witness an iron pin 50.0 feet distant on line last described; thence North 58° 04' 25" West with the centerline of West Main Street, same being the South line of Inlot 7504, a total distance of 155.90 feet to a P.K. nail marking the West corner of Inlot 7504, witness an iron pin 97.32 feet distant on line next described; thence South 88° 59' 20" East with the line between Inlots 7505 and 7504, a total distance of 181.72 feet to the place of beginning.

The above described part of Inlot 7504 contains a total of 0.1671 acres of which 0.1310 acres is in highway right-of-way leaving a net area of 0.0361 acres, same being subject to all legal easements and restrictions of record.

Description prepared by Richard W. Klockner, Professional Surveyor #4370, in accordance with a survey filed in the Miami County Engineer's Record of Lot Surveys Volume 20, Page 91.

The above described premises are subject to an easement to the City of Troy, dated February 12, 1993, recorded in Volume 641, Page 186, Miami County, Ohio Deed Records and an easement to the City of Troy, dated November 15, 1993, recorded in Volume 648, Page 48, Miami County, Ohio Deed Records.

DESCRIPTION APPROVED *ad*
MIAMI COUNTY ENGINEER
BY *DJ* DATE *10-15-2014*

AM *10/27/14*

MIAMI COUNTY RECORDER
JESSICA A LOPEZ
2014OR-11990
PRESENTED FOR RECORD
MIAMI COUNTY, TROY, OHIO
10/27/2014 2:56:14 PM
REFERENCES 1
RECORDING FEE 0.00
PAGES: 3

Re-Planned



D08-102626

D08-101116

D08-101139

D08-101232

D08-103520

D08-102432

D08-059365

D08-059365

D08-059367

W MAIN ST

B-2 Principal Permitted Uses

- Accountant's office.
- Agricultural implement sales and service.
- Apparel stores – retail sales
- Architect's office.
- Art and school supplies – retail sales
- Art galleries and museums.
- Artist, sculptor and composer studios.
- Attorney's office.
- Auction sales.
- Automobile accessories – retail sales, including incidental installation
- Automobile fuel dispensing station.
- Automobile parking garages
- Automobile parking lots.
- Automobile repair garages – no body work.
- Automobile service stations.
- Automobile Wash.
- Bakeries – retail sales.
- Banks and financial institutions.
- Barber and beauty schools.
- Barber and beauty shops.
- Bicycle sale, rental and repair.
- Blueprinting, photocopying, photo finishing services.
- Books – retail sales.
- Bowling lanes.
- Building material sale and storage facilities.
- Business, civic, fraternal association and labor meeting rooms.
- Business and technical schools.
- Cabinet shops.
- Cameras and photo supplies – retail sales.
- Candy and confectionery – retail sales.
- Catering services.
- Day-care centers.
- Churches, chapels, temples, synagogues.
- Cigars, cigarettes, tobacco – retail sales.
- Coin-operated amusement centers.
- Dance halls.
- Dancing schools.
- Department stores.
- Driver training schools (Automobile).
- Drug stores – retail sales.
- Dry cleaning and laundromats.
- Eating place – carry out.
- Eating place – Drive-in.
- Eating place - #1.
- Eating place - #2.
- Electrical appliance repair.
- Engineer's office.
- Equipment rental services, including cars, trucks and trailers.
- Exterminating services.
- Florists.
- Food brokers – retail, wholesale and storage without processing.
- Food stores – retail sales.
- Garden stores.
- Gift shops.
- Government buildings, structures, or premises
- Grocery, meat and fish – retail sales.
- Gymnasiums.
- Hardware – retail sales.
- Health studios and clubs.
- Heating, A/C, electric and plumbing sales, service and repair.
- Hobby shops – retail sales.
- Hotels and motels.
- Insurance agent's office.
- Jewelry – retail sales.
- Kennel.
- Lawn mower sales, service and repair.
- Leather goods and luggage – retail sales.
- Libraries.
- Locksmiths.
- Medical and dental laboratories.
- Medical and dental office/clinic.
- Mortuaries and funeral parlors.
- Motorcycle sales and service.
- Newsstand – retail sales.
- Office supplies and stationery – retail sales.
- Optical goods – retail sales.
- Package liquor, beer and wine – retail sales – Drive-thru.
- Package liquor, beer and wine – retail sales.
- Paint, glass and wallpaper – retail sales.
- Pet grooming – all day, no overnight.
- Pet sales and supplies – retail sales.
- Photo studios.
- Private clubs.
- Professional Office not otherwise mentioned.
- Public parks, playgrounds and community centers.
- Public utility.
- Radio and television – sales, service and repair.
- Real estate broker's office.
- Repair part – retail sales.
- Residential use on second story or above.
- Retail and service uses.
- Sales offices and service centers.
- Schools – primary, intermediate and secondary – public or private.
- Seamstress and tailor.
- Shoe repair.
- Upholstery shop, not involving furniture manufacturing.
- Variety stores – retail sales.
- Veterinary office – w/boarding.
- Watch, clock and jewelry repair.

M-2 Principal Permitted Uses

- Agricultural implement sales and service.
- Agricultural uses.
- Auction sales.
- Automobile fuel dispensing station.
- Automobile parking garages
- Automobile parking lots.
- Automobile repair garages – including body work.
- Bakeries – wholesale sales.
- Beverage distributors and bottling plants.
- Bone, canvas, cellophane, clay, cloth, cork, feathers, felt – manufacturing, assembling, compounding, or treatment.
- Building material sales and storage facilities.
- Carpentry shops.
- Cash advance businesses.
- Cement block and formed products manufacturing
- Cold storage plants.
- Commercial greenhouses and nurseries.
- Contractor sales, storage and equipment yards.
- Crematoriums (pet and human).
- Dairy and food product processing and packaging.
- Driver training schools (trucks).
- Dry cleaning – commercial.
- Electrical and electronic products, components and equipment – manufacturing, assembling or repair.
- Equipment rental services, including cars, trucks and trailers.
- Exterminating services.
- Fiber, fur, glass, hair, horn, leather, paper, plastics, rubber, precious or semi-precious stone or metal, sheet metal.
- Food brokers – retail, wholesale and storage without processing.
- Frozen food lockers.
- Garden stores.
- Government buildings, structures but not including work shops, warehouse, or open material storage.
- Government buildings, structures, or premises
- Heating, A/C, electric and plumbing sales, service and repair.
- Liquid fuel, petroleum products, petroleum, and volatile oils – bulk storage stations in accordance with Section 1143.18(g) hereof.
- Machine shops, tool and die shops.
- Machinery and heavy equipment rental, sales and storage.
- Manufacturing, assembling or repair of medical, dental, optical and similar precision instruments or appliances.
- Meat processing and packaging, exclusive of slaughtering.
- Medical and dental laboratories.
- Metal products, excluding structural steel and foundry products or product from previously prepared materials.
- Moving and storage companies.
- Musical instruments – manufacturing, assembling or repair.
- Novelties, toys and rubber products – manufacturing, assembling or repair.
- Pawn shops.
- Pharmaceutical products, including cosmetics, toiletries and perfumes, but excluding the manufacture of soap from raw materials.
- Pool Halls.
- Printing, publishing, binding and typesetting plants.
- Private clubs.
- Public utility.
- Railroad stations, depots, train yards, classification yards and team tracks.
- Research and engineering laboratories.
- Sales offices and service centers.
- Sawing and planing mills.
- Sexually oriented business.
- Sign painting and manufacture.
- Stone products processing and manufacturing.
- Tattoo parlors.
- Truck fuel dispensing stations.
- Truck repair facility.
- Truck sales and service.
- Truck washing facility.
- Trucking and motor freight terminals.
- Watches and clocks, including clock operated devices – manufacturing, assembling or repair.
- Water filtration plants and pumping stations.
- Wholesale houses, warehouse and other storage facilities

B-2 General Business District uses not permitted in the M-2 Zoning

District

- Accountant's office.
- Apparel stores – retail sales.
- Architect's office.
- Art and school supplies – retail sales.
- Art galleries and museums.
- Artist, sculptor and composer studios.
- Attorney's office.
- Automobile accessories – retail sales, including incidental installation.
- Automobile repair garages – no body work.
- Automobile service stations.
- Automobile Wash.
- Bakeries – retail sales.
- Banks and financial institutions.
- Barber and beauty schools.
- Barber and beauty shops.
- Bicycle sale, rental and repair.
- Blueprinting, photocopying, photo finishing services.
- Books – retail sales.
- Bowling lanes.
- Business, civic, fraternal association and labor meeting rooms.
- Business and technical schools.
- Cabinet shops.
- Cameras and photo supplies – retail sales.
- Candy and confectionery – retail sales.
- Catering services.
- Churches, chapels, temples, synagogues.
- Cigars, cigarettes, tobacco – retail sales.
- Coin-operated amusement centers.
- Dance halls.
- Dancing schools.
- Day-care centers.
- Department stores.
- Driver training schools (Automobile).
- Drug stores – retail sales.
- Dry cleaning and laundromats.
- Eating place – carry out.
- Eating place – Drive-in.
- Eating place - #1.
- Eating place - #2.
- Electrical appliance repair.
- Engineer's office.
- Florists.
- Food stores – retail sales.
- Gift shops.
- Grocery, meat and fish – retail sales.
- Gymnasiums.
- Hardware – retail sales.
- Health studios and clubs.
- Hobby shops – retail sales.
- Hotels and motels.
- Insurance agent's office.
- Jewelry – retail sales.
- Kennel.
- Lawn mower sales, service and repair.
- Leather goods and luggage – retail sales.
- Libraries.
- Locksmiths.
- Medical and dental office/clinic.
- Mortuaries and funeral parlors.
- Motorcycle sales and service.
- Newsstand – retail sales.
- Office supplies and stationary – retail sales.
- Optical goods – retail sales.
- Package liquor, beer and wine – retail sales – Drive- thru.
- Package liquor, beer and wine – retail sales.
- Paint, glass and wallpaper – retail sales.
- Pet grooming – all day, no overnight.
- Pet sales and supplies – retail sales.
- Photo studios.
- Professional Office not otherwise mentioned.
- Public parks, playgrounds and community centers.
- Radio and television – sales, service and repair.
- Real estate broker's office.
- Repair part – retail sales.
- Residential use on second story or above.
- Retail and service uses.
- Schools – primary, intermediate and secondary – public or private.
- Seamstress and tailor.
- Shoe repair.
- Upholstery shop, not involving furniture manufacturing.
- Variety stores – retail sales.
- Veterinary office – w/boarding.
- Watch, clock and jewelry repair.

M-2 Light-Industrial District uses not permitted in the B-2 Zoning District

- Agricultural uses.
- Automobile repair garages – including body work.
- Bakeries – wholesale sales.
- Beverage distributors and bottling plants.
- Bone, canvas, cellophane, clay, cloth, cork, feathers, felt – manufacturing, assembling, or treatment.
- Carpentry shops.
- Cash advance businesses.
- Cement block and formed products manufacturing.
- Cold storage plants.
- Commercial greenhouses and nurseries.
- Contractor sales, storage and equipment yards.
- Crematoriums (pet and human).
- Dairy and food product processing and packaging.
- Driver training schools (trucks).
- Dry cleaning – commercial.
- Electrical and electronic products, components and equipment – manufacturing, assembling or repair.
- Fiber, fur, glass, hair, horn, leather, paper, plastics, rubber, precious or semi-precious stone or metal.
- Frozen food lockers.
- Government buildings, structures but not including work shops, warehouse, or open material storage.
- Liquid fuel, petroleum products, petroleum, and volatile oils.
- Machine shops, tool and die shops.
- Machinery and heavy equipment rental, sales and storage.
- Manufacturing, assembling or repair of medical, dental, optical and similar precision instruments.
- Meat processing and packaging, exclusive of slaughtering.
- Metal products, excluding structural steel and foundry products.
- Moving and storage companies.
- Musical instruments – manufacturing, assembling or repair.
- Novelties, toys and rubber products – manufacturing, assembling or repair.
- Pawn shops.
- Pharmaceutical products, including cosmetics, toiletries and perfumes.
- Pool Halls.
- Printing, publishing, binding and typesetting plants.
- Railroad stations, depots, train yards, classification yards and team tracks.
- Research and engineering laboratories.
- Sawing and planing mills.
- Sexually oriented business.
- Sign painting and manufacture.
- Stone products processing and manufacturing.
- Tattoo parlors.
- Truck fuel dispensing stations.
- Truck repair facility.
- Truck sales and service.
- Truck washing facility.
- Trucking and motor freight terminals.
- Watches and clocks, including clock operated devices – manufacturing, assembling or repair.
- Water filtration plants and pumping stations.
- Wholesale houses, warehouse and other storage facilities.

ORDINANCE No. O-43-2016

Dustin Legal Blank, Inc.

**ORDINANCE CHANGING THE ZONING OF PART OF
INLOT 9891 (PARCEL D45-002549) IN THE CITY OF TROY,
OHIO, FROM THE ZONING OF A-R, AGRICULTURE-
RESIDENTIAL DISTRICT, AND R-1, SINGLE FAMILY
RESIDENTIAL DISTRICT, TO THE SINGLE ZONING
CLASSIFICATION OF R-1, SINGLE FAMILY RESIDENTIAL
DISTRICT**

WHEREAS, a request for zoning change was presented to the Planning Commission of the City of Troy, Ohio, to rezone part of Inlot 9891 (Parcel # D45-002549) in the City of Troy, and

WHEREAS, the Planning Commission of the City of Troy, Ohio, has reviewed the plan and recommended approval, and

WHEREAS, at least thirty days notice of the public hearing of said change has been provided in a newspaper of general circulation,

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Troy, Ohio as follows:

SECTION I: That the zoning of part of Inlot 9891 (Parcel # D45-002549), and as shown on Exhibit A attached hereto, is hereby approved to be changed from the dual zoning of A-R, Agriculture-Residential District, and R-1, Single Family Residential District, to the single zoning of R-1, Single Family Residential District.

SECTION II: That this Ordinance shall be effective at the earliest date allowed by law.

Adopted: _____
President of Council

Approved: _____

Attest: _____
Clerk of Council Mayor

July 18, 2016

Description of a 19.821 Acre Parcel to be Rezoned
 ~for~
HALIFAX LAND COMPANY, LLC.

Situate in the southeast quarter of Section 13, Town 1, Range 11 M.Rs, and in the northeast quarter of Section 18, Town 1, Range 10 M.Rs, City of Troy, Miami County, Ohio, being part Inlot 9891, the same also being part of the 60.051 acre tract of land conveyed to Halifax Land Company, LLC. by deed recorded as Official Record 2015OR-11323 and part of the 65.728 acre tract of land conveyed to Halifax Land Company, LLC. by deed recorded as Official Record 2014OR-11772, both deeds of the Official Deed Records of Miami County, Ohio and being more particularly described as follows;

Beginning at the northwest corner of Inlot 10514, Halifax Estates, Section One as recorded in Plat Book 25, Page 44 of the Miami County Plat Records;

thence North 33 degrees 58 minutes 11 seconds West for 1245.32 feet;

thence North 69 degrees 17 minutes 52 seconds East for 246.45 feet;

thence North 48 degrees 41 minutes 09 seconds East for 402.93 feet;

thence North 47 degrees 10 minutes 13 seconds East for 261.16 feet;

thence North 63 degrees 40 minutes 08 seconds East for 135.73 feet;

thence North 58 degrees 15 minutes 10 seconds East for 87.47 feet;

thence South 85 degrees 41 minutes 00 seconds East for 63.87 feet to a point in the east line of the southeast quarter of said Section 13;

thence with the east line of the southeast quarter of said Section 1, South 4 degrees 11 minutes 21 seconds West for 664.45 feet to the northeast corner of the northeast quarter of said Section 18;

thence with the east line of the northeast quarter of said Section 18, South 4 degrees 18 minutes 41 seconds West for 930.14 feet to a point in the north line of said Inlot 10514;

thence with the north line of said Inlot 10514, South 66 degrees 21 minutes 44 seconds West for 185.14 feet to the place of beginning; containing 19.821 acres.

The above description was prepared by David R. Winemiller, Ohio Registered Land Surveyor No. 7197.

THOMAS WINEMILLER & ASSOCIATES, INC.

David R. Winemiller

David R. Winemiller
 Ohio Registered Land Surveyor No. 7197



This instrument prepared by:
TWA, Inc.
Civil & Structural Engineers ~ Land Surveyors
 212 West National Road
 Vandalia, Ohio 45377
 (937)-898-5862

TWA
 Since 1971



MEMORANDUM

TO: Mrs. Baker, President, Troy City Council

FROM: Sue Knight, for the Troy Planning Commission

DATE: August 4, 2016

SUBJECT: **REPORT OF THE PLANNING COMMISSION ON THE REZONING OF 19.821 ACRES OF THE HALIFAX SUBDIVISION, (PARCEL D45-002549, PART OF INLOT NUMBER 9891) FROM THE DUAL ZONING OF A-R, AGRICULTURE-RESIDENTIAL DISTRICT, AND R-1, SINGLE FAMILY RESIDENTIAL DISTRICT, TO THE SINGLE ZONING CLASSIFICATION OF R-1, SINGLE FAMILY RESIDENTIAL DISTRICT. OWNER/APPLICANT IS HALIFAX LAND COMPANY, LLC**

On July 27, 2016, the Troy Planning Commission considered the rezoning of part of Inlot 9891, Parcel # D45-002549 from the dual zoning of A-R, Agriculture-Residential District, and R-1, Single Family Residential District, to the single zoning of R-1, Single Family Residential District. This is 19.821 acres of the Halifax Subdivision, located east of Piqua-Troy Road and north of Troy-Urbana Road. R-1 zoning requires a minimum lot size of 40,000 square feet. The property owner/applicant is the Halifax Land Company, LLC by Frank Harlow, President.

The Commission was advised that Halifax Land Company, LLC has been approached by potential customers wishing to build in this particular area, which has led to the rezoning request.

The Planning Commission determined not to hold a public hearing on this rezoning application.

By unanimous vote, the Troy Planning Commission recommends to Troy City Council that part of Inlot 9891, Parcel # D45-002549, be rezoned from the dual zoning of A-R, Agriculture-Residential District, and R-1, Single Family Residential District, to the single zoning of R-1, Single Family Residential District, based on the findings of staff that:

- The area has the same zoning classification to the east of the proposed zoning classification;
- The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code;
- The rezoning would be a housekeeping item in order to have the parcel in question have one zoning classification instead of two.

Attached is a copy of the information reviewed by the Commission. This request is forwarded herewith to Council for consideration.

The Public Hearing before Council has been set for the September 6 meeting of Council.

encl.

TO:	Troy Planning Commission
FROM:	Planning Staff
DATE:	July 27, 2016
SUBJECT:	Rezoning: Halifax Subdivision
OWNER:	Halifax Land Company, LLC
APPLICANT: Halifax Land Company, LLC – Frank Harlow	

BACKGROUND:

Frank Harlow, owner and applicant for Halifax Land Company, LLC, has applied for Planning Commission to consider the rezoning of Parcel D45-002549, Part Inlot 9891, located in the Halifax Subdivision. The total parcel consists of 60.051 acres. Currently, the property has a dual zoning of A-R, Agriculture-Residential District, and R-1, Single-Family Residential. The applicant requests that the 19.821 acres of the parcel holding the A-R, Agriculture-Residential District be rezoned to a single classification of R-1, Single Family Residential.

The property is located east of Piqua-Troy Road, and north of Troy-Urbana Rd. The surrounding zoning districts consist of R-1, Single Family Residential, and A-R, Agriculture-Residential.

The applicant has been approached by several potential customers wishing to building in the Halifax Subdivision in the area of the requested rezoning. These requests, along with this being a housekeeping type item, has prompted the applicant to now apply for this rezoning.

DISCUSSION:

At the time that the property was previously rezoned from A-R, Agriculture-Residential to R-1, Single-Family, the preliminary plat for the subdivision was not quite complete. The decision was made by the applicant's engineer, David Winemiller, and the City of Troy Engineer, Deborah Swan, to only request a partial rezoning of the parcel in order to expedite the rezoning process. This allowed the developer, Frank Harlow, to then proceed with the development of the subdivision. The preliminary plat for Halifax was then brought before the Planning Commission and received approval on January 22, 2014. The preliminary plat showed the current requested rezoning area as having a single zoning classification of R-1, Single Family Residential.

This particular area of the city is dominated by a mix of residential, office-commercial, and agricultural districts. The Zoning Code describes the R-1, Single-Family Residential district as "designed to accommodate single-family dwellings on lots with areas of at least forty thousand (40,000) square feet per dwelling unit. ...Such areas will generally be located at the outer periphery of the City in neighborhoods with large lots and which warrant protection of the neighborhood's residential environment."

The R-1 district limits the type of uses that are permitted to prevent disruption to the surrounding, existing, residential neighborhoods. The rezoning of the remainder of this property will continue to prevent disruption to the surrounding neighborhoods.

It is staff's opinion that adjoining properties will benefit from the positive impact of the proposed rezoning. The proposed R-1 district coincides with the existing zoning that is currently held on the remainder of this particular property.

The Comprehensive Plan's Future Land Use (Figure 14-2) shows the surrounding area to be utilized as residential.

In reviewing a rezoning proposal, Section 1139.07 outlines the criteria on which to base decisions:

(A) Whether the change in classification would be consistent with the intent and purpose of this Zoning Code.

The proposed rezoning is consistent with the Zoning Code, specifically with sections 1131.02(e), and (r). These sections dictate the intent and purpose of the Zoning Code. These sections are listed below:

- 1131.02(e) "To separate incompatible land uses and to cluster compatible and mutually supportive land uses".
- 1131.02(r) "To direct particular land uses to the parcels of land best suited for them..."

The rezoning is consistent with the above listed intentions of the Zoning Code.

(B) Whether the proposed amendment is made necessary because of changed or changing conditions in the area affected, and, if so, the nature of such changed or changing conditions.

The application was not submitted based upon any changing conditions in the area.

(C) Whether the uses that would be permitted on the property if it were reclassified would be compatible with the uses permitted on other property in the immediate vicinity.

The use is compatible with the existing parcels of land located around the proposed rezoning area.

(D) Whether adequate utility, sewer, and water facilities, and all other needed public services exist or can be provided to serve the uses that would be permitted on a property if it were reclassified.

Utilities are currently provided for the first phase of the Halifax Subdivision. Extension of those utilities to the rezoning area can be provided.

(E) The amount of vacant land that currently has the same zoning classification as is proposed for the subject property, particularly in the vicinity of the subject property, and any special circumstances, in any, that make a substantial part of such vacant land unavailable for development.

The vacant land in the vicinity of this property, which is currently zoned R-1, does not show any prohibitions from development of said parcel.

(F) Whether the proposed amendment would correct an error in the application of this Zoning Code as applied to the subject property.

Not applicable in this request.

PUBLIC HEARING:

Due to the straight forward nature of the rezoning request, staff does not feel that a public hearing before the Planning Commission is warranted.

RECOMMENDATION:

Staff is recommending that the Planning Commission recommend approval of the rezoning from A-R, Agriculture-Residential to R-1, Single Family Residential, based on the following:

- The area has the same zoning classification to the east of the proposed zoning classification; and
- The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code; and
- The rezoning would be a housekeeping item in order to have the parcel in question have one zoning classification instead of two.

Scheduled Planning Commission Meeting
(Held every 2nd and 4th Wednesday of the month at 3:30 p.m.)

Date Requested: _____
Applicant(s) scheduled on the agenda will be notified

Office Use Only

Date Filed 7-20-16
Accepted by SG
Filing Fee Pd. \$150.00
Receipt # _____

APPLICATION IS DUE TWO (2) WEEKS PRIOR TO MEETING

APPLICATION FOR ZONING AMENDMENT
CITY OF TROY PLANNING COMMISSION

(MUST BE TYPED OR PRINTED LEGIBLY IN BLACK INK)

(READ SECTION 1139 OF THE ZONING CODE BEFORE COMPLETING APPLICATION)

An application for an amendment to the City of Troy, Ohio Zoning Code that would change the zoning classification for the property located at BARRINGTON DRIVE, TROY, OHIO

(Street Address)

being lot number(s) Part of Lot 9891 from AGRICULTURE to R-1
(Parcel Identification Number) (Existing Zoning Classification) (Proposed Zoning Classification)

OWNER

APPLICANT

Name Halifax Land Company, LLC

Name same as owner

Address 701 North Market Street

Address _____

City Troy

City _____

State OHIO

State _____

Zip Code 45373

Zip Code _____

Phone No. 937-339-9944 603-0513

Phone No. _____

Fax No. 937-339-0050

Fax No. _____

Email sales@harlowbuilders.net

Email _____

The applicant is the OWNER of the property, which is subject to this application.
(State the interest of the applicant)

PLEASE PROVIDE THE FOLLOWING:

1. The reasons for seeking a change in the zoning classification or zoning text: Attach as **EXHIBIT "A"**.
2. The legal description of the land proposed to be reclassified: Attach as **EXHIBIT "B"**.
3. A site plan prepared by a registered engineer, surveyor or architect in duplicate drawn to such scale as to clearly show:
 - a. The actual dimensions of the subject property according to the recorded plat of such property, lot numbers, it's present zoning classification, existing and proposed uses: Attach as **EXHIBIT "C"**.
 - b. The present zoning classification of all surrounding lands located within two hundred and fifty (250) feet of the land proposed to be reclassified: Attach as **EXHIBIT "D"**.
 - c. A list (see example) of the names, addresses, and lot numbers of the owners of property within a radius of two hundred and fifty (250) feet from the parcel or parcels of land proposed to be reclassified: Attach as **EXHIBIT "E"**
 - i. Include one (1) copy of County Tax Maps
 - ii. Include two (2) sets of mailing labels
4. 2 complete sets (Exhibits A-E) reproducible in a format no larger than 11"x17"
5. Filing Fee of \$150.00 made payable to the City of Troy

D45-002549

I HEREBY DEPOSE AND SAY THAT THE ABOVE STATEMENTS AND THE STATEMENTS CONTAINED IN ALL THE EXHIBITS PREPARED BY ME AND TRANSMITTED HERewith ARE TRUE.

[Signature]
(Applicant Signature)

Subscribed and sworn to before me this 20th day of July, 2014



My Commission Expires 8/15/2016
(Month/Date/Year)
MARY K. LEWIS, Notary Public
In and for the State of Ohio
My Commission Expires Aug. 15, 2016
Recorded in Miami County

Mary K Lewis
(Notary Public)

(For Office Use Only - Do Not Write Below This Line)

REQUIRED DOCUMENTS:

EXHIBIT A	Reasons for Zoning Reclassification
EXHIBIT B	Legal Description
EXHIBIT C	Site Plan: lot dimensions, lot numbers, current zoning, existing and proposed uses
EXHIBIT D	Site Map with Zoning & Owners within 250 feet of parcel
EXHIBIT E	Property Owners List within 250 feet of parcel
Labels	Two (2) Sets of Mailing Labels of Property Owners
Copies	(1) Complete Sets in a reproducible format 11"x17"
Map(s)	One (1) County Tax Map(s)
Filing Fee	Check issued to City of Troy for \$150.00

Additional Documentation (List):

(15) Co

PLANNING COMMISSION DISPOSITION:

PUBLIC HEARING DATE

RECOMMENDATION TO CITY COUNCIL

CITY COUNCIL DISPOSITION:

1st Reading: 2nd: 3rd: PUBLIC HEARING DATE

COUNCIL COMMITTEE RECOMMENDATION

Approved: Denied: CITY COUNCIL ACTION

Ordinance Number:

Revised 10/25/11

REASONS FOR SEEKING A CHANGE IN ZONING CLASSIFICATION

- 1) Owner desires a zoning classification that allows for the highest and best use of this property.
- 2) Zoning change will make this zoning compatible with the adjoining zoning.
- 3) A change in the zoning classification will allow for continued orderly growth of Halifax Estates.
- 4) A change in the zoning classification will enhance and protect neighboring property values and would be in the best interest of the citizens of the City of Troy.

July 18, 2016

Description of a 19.821 Acre Parcel to be Rezoned

~for~

HALIFAX LAND COMPANY, LLC.

Situate in the southeast quarter of Section 13, Town 1, Range 11 M.Rs, and in the northeast quarter of Section 18, Town 1, Range 10 M.Rs, City of Troy, Miami County, Ohio, being part Inlot 9891, the same also being part of the 60.051 acre tract of land conveyed to Halifax Land Company, LLC. by deed recorded as Official Record 2015OR-11323 and part of the 65.728 acre tract of land conveyed to Halifax Land Company, LLC. by deed recorded as Official Record 2014OR-11772, both deeds of the Official Deed Records of Miami County, Ohio and being more particularly described as follows;

Beginning at the northwest corner of Inlot 10514, Halifax Estates, Section One as recorded in Plat Book 25, Page 44 of the Miami County Plat Records;

thence North 33 degrees 58 minutes 11 seconds West for 1245.32 feet;

thence North 69 degrees 17 minutes 52 seconds East for 246.45 feet;

thence North 48 degrees 41 minutes 09 seconds East for 402.93 feet;

thence North 47 degrees 10 minutes 13 seconds East for 261.16 feet;

thence North 63 degrees 40 minutes 08 seconds East for 135.73 feet;

thence North 58 degrees 15 minutes 10 seconds East for 87.47 feet;

thence South 85 degrees 41 minutes 00 seconds East for 63.87 feet to a point in the east line of the southeast quarter of said Section 13;

thence with the east line of the southeast quarter of said Section 1, South 4 degrees 11 minutes 21 seconds West for 664.45 feet to the northeast corner of the northeast quarter of said Section 18;

Halifax Land Company , LLC.
Rezoning Description – 19.821 Acs.
Page 2 of 2
July 18, 2016

thence with the east line of the northeast quarter of said Section 18, South 4 degrees 18 minutes 41 seconds West for 930.14 feet to a point in the north line of said Inlot 10514;

thence with the north line of said Inlot 10514, South 66 degrees 21 minutes 44 seconds West for 185.14 feet to the place of beginning; containing 19.821 acres.

The above description was prepared by David R. Winemiller, Ohio Registered Land Surveyor No. 7197.

THOMAS WINEMILLER & ASSOCIATES, INC.



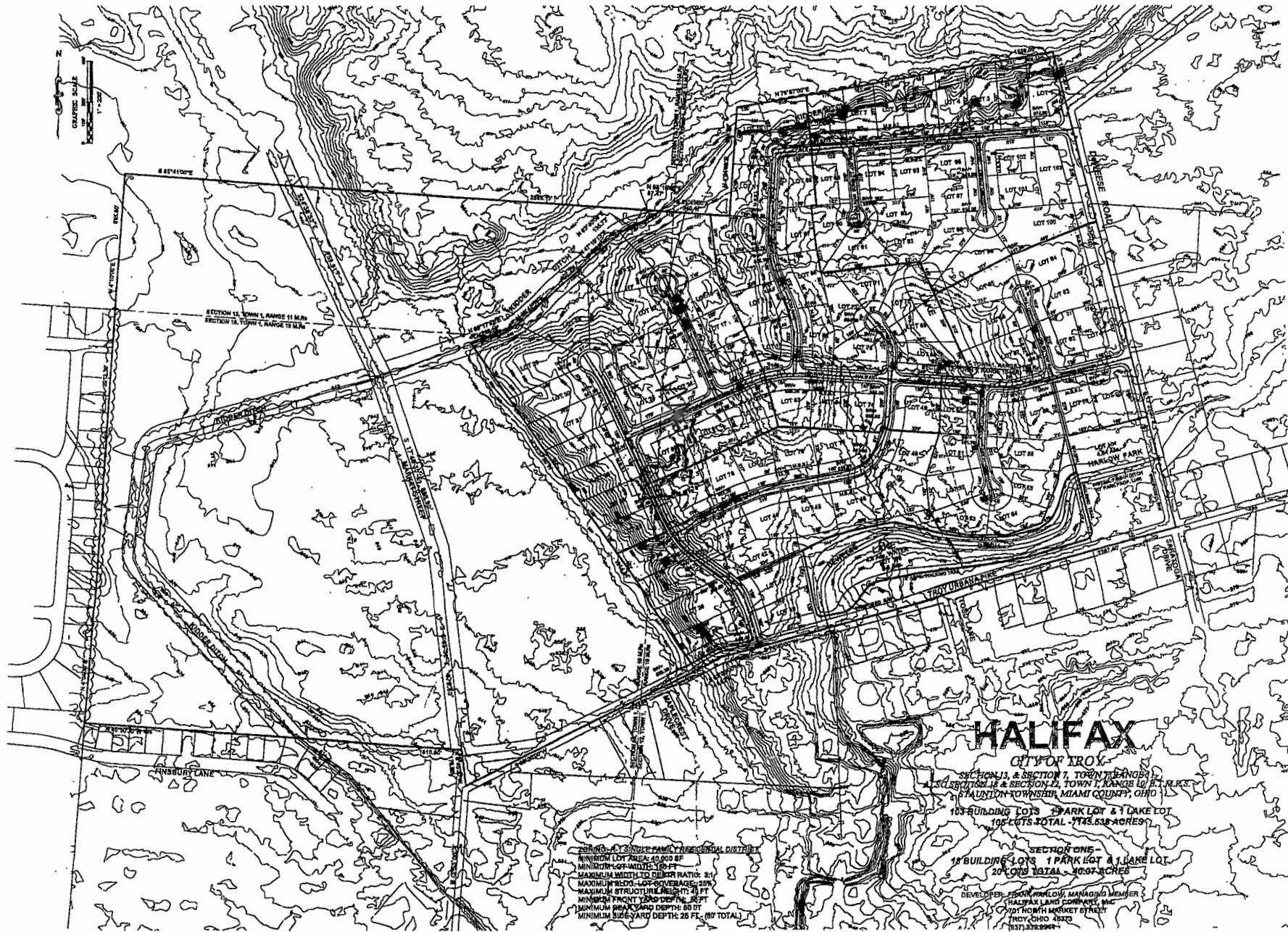
David R. Winemiller
Ohio Registered Land Surveyor No. 7197



This instrument prepared by:
TWA, Inc.
Civil & Structural Engineers ~ Land Surveyors
212 West National Road
Vandalia, Ohio 45377
(937)-898-5862

TWA
Since 1971





SHEET NO.

1

THOMAS WINEMILLER & ASSOCIATES, INC.

CIVIL & STRUCTURAL ENGINEERING - LAND SURVEYING

1015 EAST MAIN STREET
TROY, OHIO 43080

WWW.TWASURVEYING.COM

HALIFAX PRELIMINARY PLAN

JANUARY 30, 2014

NO.	DATE	REVISION

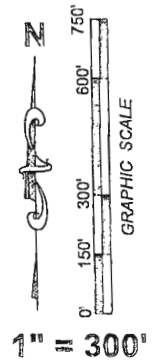
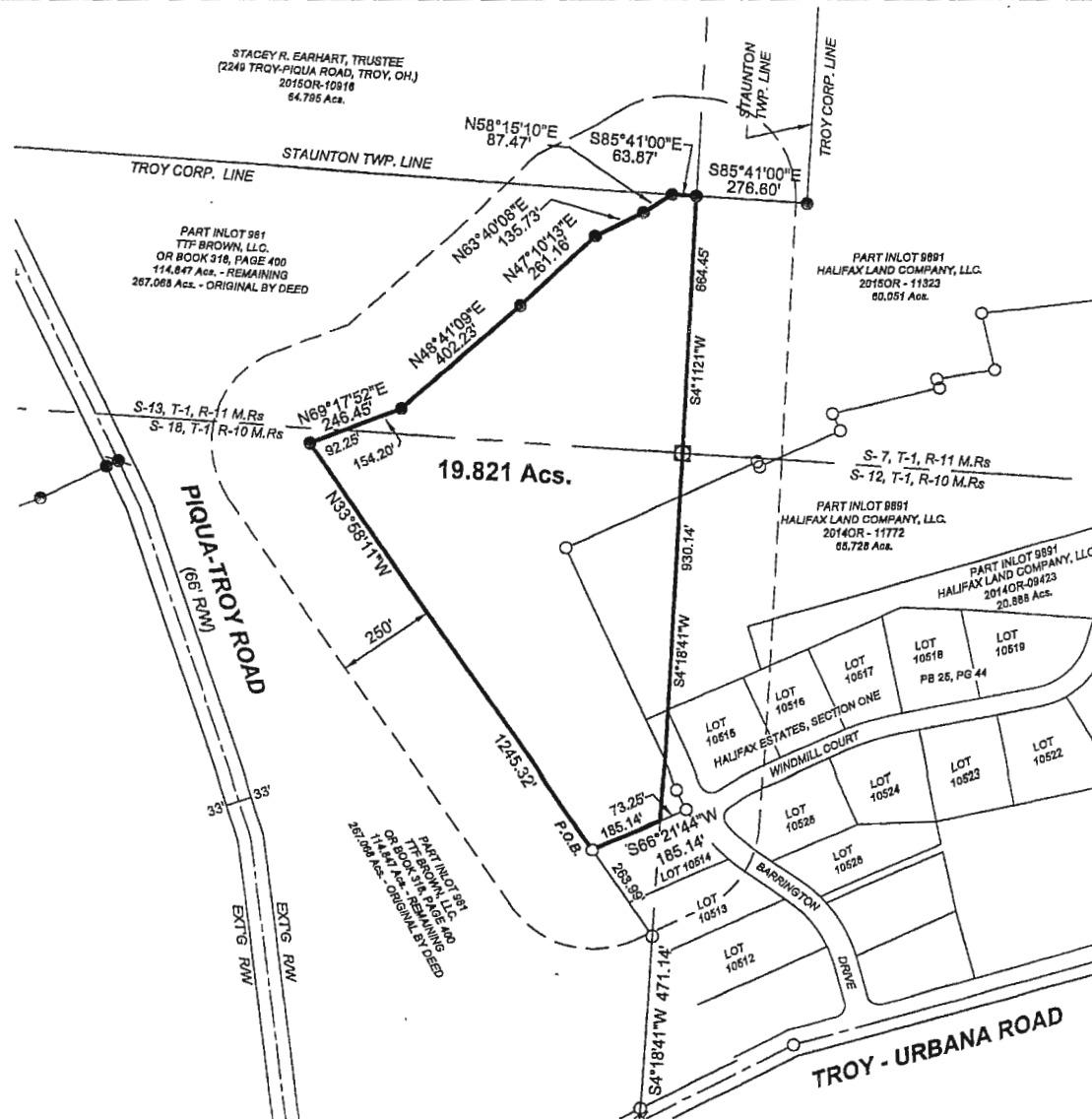


EXHIBIT "C"
REZONING SITE PLAN
 -FOR-
HALIFAX LAND COMPANY, LLC.
 JULY 19, 2016

THOMAS WINEMILLER & ASSOCIATES, INC.
 CIVIL & STRUCTURAL ENGINEERS - LAND SURVEYORS
 212 WEST NATIONAL ROAD
 VANDALIA, OHIO 45377
 (937)-898-5862 FAX: 898-5718
 www.winemillerengineering.com

	<u>A-R Agricultural-Residential Permitted Uses</u>		<u>R-1 Single-Residential Permitted Uses</u>
	▪ Agricultural uses.		▪ Adult Family Home.
	▪ Hydroponic farms.		▪ Churches, chapels, temples, synagogues.
	▪ Public parks, playgrounds and community centers.		▪ Family Home.
	▪ Public utility.		▪ Foster Family Home.
	▪ Roadside stands – agricultural products grown on premises.		▪ Public parks, playgrounds and community centers.
	▪ Schools – primary, intermediate and secondary – public or private.		▪ Public utility.
	▪ Single family dwellings.		▪ Schools – primary, intermediate and secondary – public or private.
	▪ Veterinary office – with boarding.		▪ Single family dwellings.
	▪ Veterinary office – without boarding.		
	<u>A-R Agricultural Residential District uses not permitted in the R-1 Zoning District</u>		<u>R-1 Single-Residential District uses not permitted in the A-R Zoning District</u>
	▪ Agricultural uses.		▪ Adult Family Home.
	▪ Hydroponic farms.		▪ Churches, chapels, temples, synagogues.
	▪ Roadside stands – agricultural products grown on premises.		▪ Family Home.
	▪ Veterinary office – with boarding.		▪ Foster Family Home.
	▪ Veterinary office – without boarding.		



City of Troy

ITEMS OF INTEREST

TO: Mayor Beamish
Mrs. Baker, President of Council
Council Members

FROM: Patrick E. J. Titterington, Director of Public Service and Safety

A handwritten signature in red ink, likely of Patrick E. J. Titterington, is placed to the right of the "FROM:" line.

DATE: August 12, 2016

We are providing the following for your information:

- Major Project Update:
 - Marina Building – Punch list items are being performed. Awaiting letter from structural engineer for balcony.
 - Treasure Island Park – Punch list items are being performed.
 - Streetscape (East Main Street between Walnut and Mulberry Streets) – Signals have been installed and are operational. The contractor has been given an extension to the middle of August due to an issue with the delivery of the pole base collars.
 - McKaig Road Improvements- McKaig Avenue from Madison Street to the alley west of Lake Street was closed June 1 for construction. The street along the Heywood School property will be open for drop-off and pickup of children once school begins. Local traffic (non-through traffic) will be maintained. The project is currently on schedule.
 - North Market Street Project- ODOT began their project on June 6. North Market Street will remain open. Water Street will be closed to traffic between N. Cherry St. and N. Walnut St. Phase 2 of the project has begun and is estimated to take two weeks.
 - Hobart Arena Renovation and Expansion- The renovation began on February 29 and the Arena was closed to public following the Troy Skating Club Summer Competition on July 11. The plan is to have the main rink area work completed by September 19 to begin putting ice back down for ice skating and hockey. The project is projected to be completed sometime in late January. At this point, the contractor has not indicated any delays in the completion of the project.
- Firefighter Josh Astor resigned effective August 7 to accept a position with another public employer. Firefighter Astor had been with the City since 12/28/14.
- Mitchell C. Beckner has been promoted to the position of Superintendent at the Wastewater Treatment Plant effective August 14, 2016.

- Timothy E. Davis has been promoted to the position of Assistant Development Director in the Development Department effective August 14, 2016.
- The next Civic Band Concert will be August 14 at Treasure Island Park. The theme of this concert will be "Pops on the Riverside".
- Downtown Troy has welcomed two outstanding concerts in the last week. The very popular Hotel California group played to over 4000 people on August 5. The Air Force Band of Flight Systems Go group performed on August 10 to a smaller crowd. Both concerts were outstanding and well received by those who attended.
- The weekend of August 20-21 will feature two events:
 - Saturday, August 20, the Festival of Nations will be held at the Levee area behind the Troy Memorial Stadium from 2-8 p.m. This year's featured country is France. This is fantastic opportunity to experience the cultures of our citizens, relish delicious food and enjoy a diverse cultural entertainment.
 - Sunday, August 21, the 24th Troy Mayors' Concert will be held on Prouty Plaza starting at 7 p.m. This concert will feature Dayton Philharmonic Concert Band and Festival Chorus, with Associate Conductor Patrick Reynolds. Don Jenkins of Troy will be the guest conductor and Mayor Michael Beamish will be directing *His Honor March* by Fillmore. Troy High School student, Sunao Masunaga will be presenting flute solos. The entire Square will be closed for the concert.
- City Offices will be closed on Labor Day, September 5. Refuse and recycling collection will be on schedule.
- Trick or Treat for the City of Troy, Ohio, will be Monday, October 31, 2016, from 6:00-8:00 p.m.

Upcoming Events on Prouty Plaza

Aug. 21	7:00 p.m.	Mayors Concert- Dayton Philharmonic
---------	-----------	-------------------------------------

Upcoming Events at Treasure Island Park

Aug. 14	7:00 p.m.	Civic Band Concert- Pops on the Riverside
Aug. 20	9:00 a.m.	Canoe Float and River Appreciation Day
Sept. 5	7:00 p.m.	Civic Band Concert- Land & Sea

Calendar of Meetings

August 15	7:00 p.m.	Council	City Hall Council Chambers
August 17	4:00 p.m.	Rec Board	Hobart Arena
August 24	3:30 p.m.	Planning Commission	City Hall
Sept. 6	6:00 p.m.	Park Board	City Hall
Sept. 6	7:00 p.m.	Council	City Hall Council Chambers
Sept.14	3:30 p.m.	Planning Commission	City Hall

If you have any questions, please do not hesitate to contact this office.

Enclosure

cc: Department Heads



Street/Solid Waste – Jerry Mullins, Foreman

- Collected and transported 237 tons of residential trash since the last report of 260 tons.
- Handled one recycling complaint and two trash complaints.
- Cleaned and swept the square and downtown area.
- Collected several compliant brush piles and T-bags.
- Continued the third round of sweeping. The sweeper will be out over the next few months as weather permits. We usually can complete three to four rounds of sweeping per year.
- Completed four rounds of right-of-way and ditch mowing operations.
- We have used over 480 tons of asphalt on 199 repairs.
- Provided barricades for the downtown concerts/ events.
- Started our manhole reconstruction program and have noted 32 manholes in need of repair. We have assessed our roads being paved and will make those manhole repairs first. Currently we have repaired 26 manholes.
- Erected the flag pole and installed bike racks at Treasure Island Park.
- Used a bull-dozer to level our Dye Mill Road Facility.

Electrical – Brian Ferree, Foreman

- Completed Ohio Utilities Protection Service requests as needed.
- Worked on performing the 3-year preventive maintenance on the traffic signals.
- Completed the monthly safety report for August.
- Installed a new VFD (variable frequency drive) at the Troy Aquatic Park. The VFD is used on the main pool filtration pump.
- Installed a new circuit breaker in a panel located in the sludge process building at the Wastewater Treatment Plant.
- Replaced several defective GFCI outlets at the Wastewater Treatment Plant and one at the Troy Aquatic Park.

Water Distribution/Sewer Maintenance - Tom Parsons, Foreman

- Marked numerous Ohio Utilities Protection Service tickets.
- Worked on numerous work orders for Billing and Collection.
- Completed non-pay shut-offs and reconnected them as they were paid.
- Checked numerous high consumption alerts.
- Repaired main breaks on: Meadow Ln., Patton St. and Saratoga Dr.

- Replaced a 4" meter and two valves at Hobart Arena.
- Flushed and started testing lines at Storypoint.
- Made a 1 ½" tap at Chick-Fil-A and started testing the new lines.
- Repaired a 12" storm line at Edison Dr. and Frontier Dr.
- Checked sewer calls at: Croydon Rd. and Cornish Rd.; both were not ours.
- Cut brush and trees around Wastewater Treatment Plant outfall and then placed rip rap around said outfall.
- Cut brush around storm ditched and bridges.
- Cleaned debris from pond by the Maintenance Facility.
- Checked additional streets for the paving program.

Water Treatment Plant – Jeff Monce

- For the month of July 2016, the WTP pumped a total of 130.614 million gallons (MG) to our distribution system and customers in West Milton and parts of Miami County (avg. 4.213 MG/day). Total precipitation recorded at the WTP for July was only 1.84". Respective totals for July in the previous ten years were:

<u>2015:</u>	<u>112.193 MG;</u>	<u>5.55"</u>
<u>2014:</u>	<u>124.415 MG;</u>	<u>2.53"</u>
<u>2013:</u>	<u>136.809 MG;</u>	<u>4.29"</u>
<u>2012:</u>	<u>159.420 MG;</u>	<u>3.62"</u>
<u>2011:</u>	<u>151.675 MG;</u>	<u>3.07"</u>
<u>2010:</u>	<u>136.338 MG;</u>	<u>3.11"</u>
<u>2009:</u>	<u>133.308 MG;</u>	<u>4.85"</u>
<u>2008:</u>	<u>133.375 MG;</u>	<u>5.15"</u>
<u>2007:</u>	<u>139.340 MG;</u>	<u>4.72"</u>
<u>2006:</u>	<u>132.296 MG;</u>	<u>7.36"</u>

- A total of 7,724,430 gallons were pumped to the Extra High Service pressure zone in northwest Troy by the EHS Booster Station for July 1-31, for an average daily consumption in that zone of 0.2492 MG.
- Eleven bulk water account holders withdrew a total of 533,700 gallons from the WTP Bulk Water Station during the month of July; revenue total was \$4,577.81.
- Maintenance staff and summer intern have completed several painting projects.
- Technicians replaced both block heaters and a thermal relay on the 900 kW WTP emergency generator.
- Low Service (LS) 2 pump has been shipped to Cleveland for restoration.
- Final lead and copper samples showed no reportable detections in the 30 residences tested. 29 of 30 final samples detected no lead. Current scientific methods can detect lead in drinking water at .6 parts per billion.
- 11 Brownies from the Troy Church of the Nazarene Girl Scout Troop 30744 toured the WTP on July 26.

Wastewater Treatment Plant – Mitch Beckner

- Repair of the erosion at the Wastewater Plant outfall was completed by Sewer Maintenance staff last week. The area was regraded and rip rap was placed to deter future deterioration. Reseeding of the area will take place in the near future.
- Weather permitting repair of the drain valve for the UV Disinfection Tank will take place this week. This repair will be done in coordination with Sewer Maintenance staff and will require bypassing all Plant flow to the equalization basins for several hours while the UV Contact Tank is drained and repairs are made.
- There has been a slight delay in the Screw Pump Replacement project. The foundry responsible for producing the upper bearing castings for the new pumps has experienced furnace issues that will delay delivery of the first set of pumps until the end of August.

**Items of Interest
Engineering Department
August 10, 2016**

PROJ # PROJECT TITLE PROJECT STATUS

PUBLIC WORKS PROJECTS

2015-01	MIA - Troy East Main Street Downtown Streetscape (PID 93240)	ODOT will fund a portion of this project. LJ DeWeese Co., Inc. was awarded the project. An extension has been provided to the contractor based on supplier manufacturer error pertaining to the pole base collars that are anticipated to be delivered in the middle of August.
2014-16	Hobart Arena Renovation and Expansion	MSA Architects designed this project. Monarch Construction, Inc. is the general contractor. Every other week construction coordination meetings are occurring with the contractor and MSA. The Arena is shutdown to the general public until the middle of September. Construction is progressing with new concession additions, back of house, main arena lighting and flooring and south entry addition.
2014-17	Marina & Boathouse Renovation	Punch list items are being performed. Awaiting letter from structural engineer for balcony.
2014-18	Treasure Island Marina & Park Improvements	Contractor continues to complete punch list, which includes reseeding the park this fall and evaluating the condition of the fascine plants (erosion control plants) along the banks of the island.
2014-12	Extra High Service (EHS) Water Tower	The Water Tower project has been awarded to CB&I Constructors, Inc. Mobilization is scheduled for the next month.
2014-03 2015-05	Water/Sewer Regionalization Study	Council authorized a contract with RA Consultants. The City provided estimated hours for operations and administration necessary for West Milton and Miami County infrastructure. Staff continues to work with the consultant. Phase 2 of the regionalization, looking at the County as a retail customer, is being analyzed. Meetings with West Milton and Miami County occurred. Awaiting County response from the results meeting. West Milton is interested in moving to the next phase of City retail services.
2015-03	Washington Road Waterline	Project is closed. As-builts have been provided to engineer for incorporation.
2015-04	Nottingham Subdivision Sewer Gravity	Access Engineering, LLC was authorized to design a gravity sewer from the Nottingham Subdivision to Piqua-Troy Road at Troy-Urbana Road. Easement requests are being coordinated with the property owners. Preliminary layout has been reviewed and the design continues. Bidding and construction is anticipated for Fall of 2016.
2015-10	Troy Recreational Trail Resurfacing (PID 100778)	Council approved the ODOT LPA Agreement including accepting ODOT funding and finalizing bike path easements according to federal regulations. Resurfacing is scheduled to occur SFY 2020 (calendar year July 2019). The project will be Local-Let (i.e. implemented by City Staff) and will be funded 80/20 ODOT/Troy. Staff has begun the environmental review and right-of-way acquisition with ODOT. Staff will be requesting RFPs for anticipated ROW/easement acquisition.
2015-29	West Market Street (SR 55) and Fenner Road Traffic Signal	Choice One Engineering Corp. completed the design of the signal. Bansal Construction, Inc. has been awarded the contract. Signal is operational and punch list items are being completed.

**Items of Interest
Engineering Department
August 10, 2016**

PROJ #	PROJECT TITLE	PROJECT STATUS
2014-08	McKaig Road Improvements Phase 3	This phase includes work from Madison Street (RR tracks) to the alley west of Lake Street (end of Heywood Elementary property). Finfrack Construction Co. was awarded the project at a cost not to exceed \$1,170,000.00. Street is being cut in preparation for curbs, sidewalks and driveways. McKaig along the Heywood School property will be open for drop-off and pickup of children once school begins. An onsite meeting is scheduled to coordinate with the school next week.
2015-23	North Market Street Improvements Phase 2	This phase includes work from Kirk Lane/Foss Way to Stonyridge Avenue. Council authorized Choice One Engineering Corp. to design the project. Construction is anticipated to occur in 2017. Preliminary traffic study (including signal warrant at Troy-Urbana Road) is finalized and design is progressing. A progress design meeting occurred with the engineer to review the utility replacements and street layout of intersections.
2015-34	West Main Street Corridor Study from I-75 to Cherry Street	This project analyzes West Main Street between I-75 and downtown for capacity and multiple modes of transportation in order to improve safety. Six Requests for Proposals were received and are being reviewed by staff.

ANNUAL PROJECTS

2014-21	Sidewalk Program 8	Invoices have been sent to the property owners involved in this program; the property owners had until April 15 to pay the bills or they will be assessed to their property taxes for five years. Assessment cards are completed and will be provided to Miami County Auditor's Office by the end of August.
	Sidewalk Program 2016	Sidewalk quantities are being obtained/measured for the 2016 sidewalk repair program, which is located in the following location: areas along S. Plum St., S. Cherry St., S. Walnut St. and S. Mulberry St. between Main St. and Franklin St.; S. Market St., S. Walnut St. and S. Mulberry St. between E. Franklin St. and E. Canal St.; and the area encompassed by S. Market St., E. West St., S. Clay St., Ross St., and S. Mulberry St. which include the following streets Young, Enyeart and Dakota. Bid opening is scheduled for August 25.
	Paving Program 2016	Streets to be paved are being coordinated with Vectren Bare Steel/Cast Iron replacement program, Water/Sewer/Storm necessary improvements, and the age of the existing street. Council authorized bidding this project. The contract has been awarded to John R. Jurgensen Co. of Springfield. Work is occurring in the next two weeks.
96435	MIA - 55 - 11.83 Bridge Redecking North Market Street (PID 96435)	ODOT-Let and funded project. Construction began on June 6 with an anticipated completion date of August 20. The bridge will remain open but traffic will be modified with half of the bridge closed at a time. Resurfacing of N. Market St. from Water St. to Staunton Rd. will be completed as part of the redecking project at an 80/20 cost split (ODOT/City). Council authorized the 20% estimated funding for the project to proceed. Water St. has been closed from Cherry St. to Walnut St. during construction. Phase 2 of the decking has begun and is estimated to take two weeks.

**Items of Interest
Engineering Department
August 10, 2016**

PROJ #	PROJECT TITLE	PROJECT STATUS
	Engineering Electronic and Hard Copy File Organization	Staff has been working with an outside contractor to make the Engineering electronic/hard copy files organized in such a way that all staff can have access to most documents. This will improve efficiency with document filing and reduce the volume of space necessary. Staff re-implemented project numbers. Record drawings organization, personnel files clean-up, and project processes continue. P&Z files are also being organized. Records retention and organization of the Zoning hard copy files are being analyzed and implemented. Record drawings, electronic and hard copy, are being inventoried by an intern.
2015-11	Updating City Construction Standards	Staff is working with Choice One Engineering Corporation (COEC) to update the standards. A review meeting occurred and updates are being completed by COEC. Review meetings continue to occur to review the marked-up standards with street standards review remaining
	Sensus Analytics Controlled Launch	Pilot testing is ongoing and coordination continues with Sensus and CMI.
	GPS Data Collection	Collection of data continues. Staff is obtaining OUPS markings from the Vectren gas main work occurring throughout the City and other construction/maintenance activities from City staff or contractors.
	Sidewalk, Driveway, Water, Sewer, and Sump Inspections	Inspections are continuing to be completed as requested with replacements and new development.

SUBDIVISION PROJECTS

2016-10	Stonebridge Meadows	Section 3 construction has intermediate asphalt with final grading occurring for house pad elevations. Site conditions improved by developer and home builder; City proceeds with site reviews. Section 4 conditionally approved through Planning Commission.
2015-06	Nottingham	Section 8 construction has intermediate course complete and housing development is ongoing. Section 9 is approved and construction ongoing by C Miller Excavating. Intermediate course of asphalt has been placed.
2012-08	Edgewater	Section 7 has obtained final course of asphalt, and escrow agreement will be held until final buildout of subdivision. Section 8 was approved by Council. A preconstruction meeting is to occur in the next week prior to construction beginning.
2015-07	Halifax	Section 1 underground utilities installation and the initial course of asphalt have been installed. House construction has begun. Staff has been asked to look into lighting options. Section 2 is being rezoned for development.
2007-25	Hawk's Nest	Section 2 awaiting final course of asphalt. The contractor began the punch list and final asphalt is anticipated to begin in the next couple of months.
2016-02	Legacy Grove	A developer has requested approval for a Planned Unit Development (PUD) for a plat of land along McKaig Road east of Concord Elementary School. The proposal will be going to Planning Commission.
2007-19	Pleasantview Estates	Section 3 is awaiting final course of asphalt. Due to the lack of construction progress in recent years, the City is investigating the potential of completing the subdivision via special assessment process. Punch lists have been completed and will be sent to the developer in order to attempt to complete the subdivision. Section 4 plat has been approved. Construction has not begun.

**Items of Interest
Engineering Department
August 10, 2016**

PROJ #	PROJECT TITLE	PROJECT STATUS
2003-35	Villages of Concord (formerly Oakmont)	Section 5 is awaiting final punch list and final course of asphalt. Due to the lack of construction progress in recent years, the City is investigating the potential of completing the subdivision via a special assessment process. A punch list has been created and forwarded the developer in order to attempt to complete the subdivision. Staff has reached out to the developer to encourage completion of development without assessment process. Staff is formulating a letter to the developer.

TROY FIRE DEPARTMENT

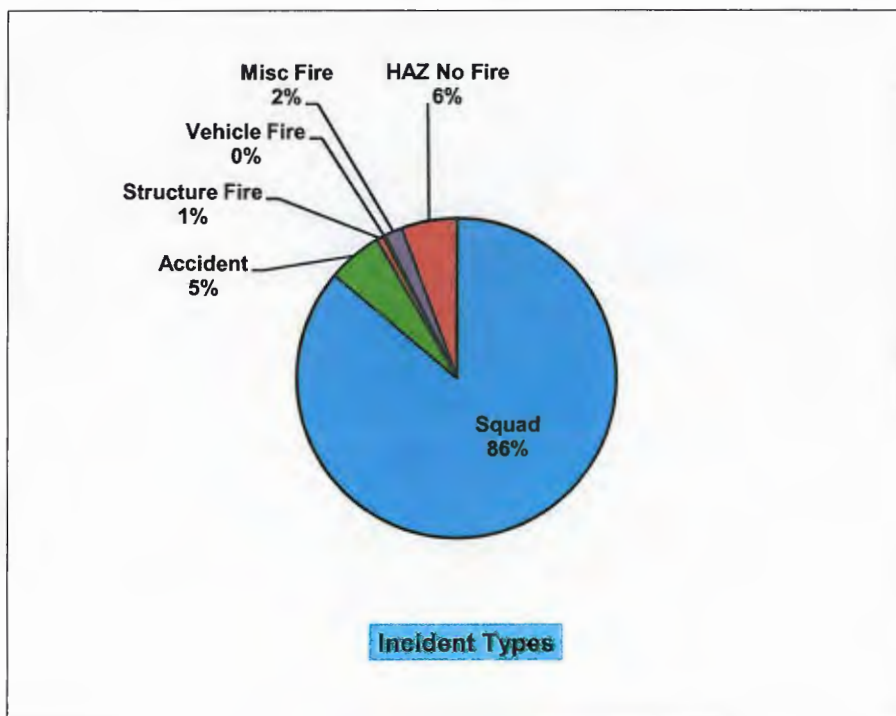
1528 North Market Street Troy, OH 45373

Here are the department's statistics for the month of July. The department has been very active with incidents, training, fire prevention education and inspections.



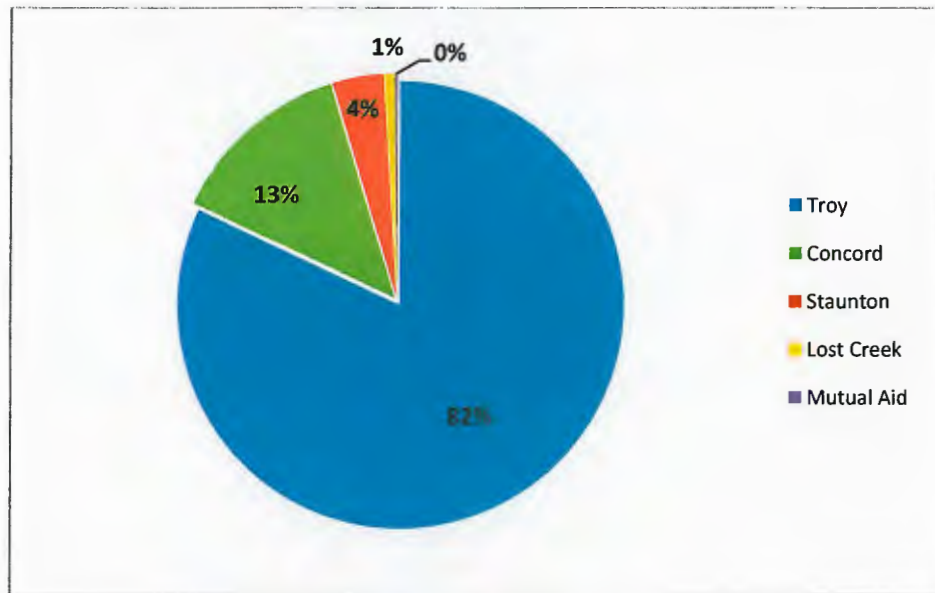
July Incidents

Incidents		
	Total	% of Fire Calls
Squad	349	86%
Accident	22	5%
Structure Fire	3	1%
Vehicle Fire	1	0%
Misc Fire	7	2%
HAZ No Fire	23	6%
Total Fire Call	405	100%



July Troy Fire Department Incidents

Incidents							
	Troy	Concord	Staunton	Lost Creek	Mutual Aid	Total	% of Fire Calls
Squad	292	43	11	2	1	349	86%
Accident	11	8	2	1	0	22	5%
Structure Fire	3	0	0	0	0	3	1%
Vehicle Fire	1	0	0	0	0	1	0%
Misc Fire	5	0	2	0	0	7	2%
HAZ No Fire	20	3	0	0	0	23	6%
Total Incidents	332	54	15	3	1	405	100%



Total Response Report				
	EMS Responses	Fire Responses	Total	% of Total
Troy	304	107	411	81%
Concord	52	19	71	14%
Staunton	13	9	22	4%
Lost Creek	2	1	3	1%
Mutual Aid	2	0	2	0%
Total	373	136	509	100%

July Troy Fire Department Responses

Fire Responses

Fire Response Report						
Unit	Troy	Concord	Staunton	Lost Creek	Mutual Aid	Total
Engine-1	70	14	6	1	0	91
Engine-2	5	0	1	0	0	6
Engine-3	9	0	1	0	0	10
Tanker-1	0	0	0	0	0	0
Tower-1	1	0	0	0	0	1
Grass-1	3	1	1	0	0	5
Truck-8	19	4	0	0	0	23
Total	107	19	9	1	0	136


Medic Assists					
	Troy	Concord	Staunton	Lost Creek	Total
Engine 1	53	11	5	1	70
Truck-8	16	4	0	0	20
Grass-1	1	0	0	0	1
Total	70	15	5	1	91

EMS Responses

EMS Response Report						
Unit	Troy	Concord	Staunton	Lost Creek	Other	Total
Medic-1	114	19	0	0	0	133
Medic-2	95	18	11	2	0	126
Medic-3	93	15	2	0	2	112
Medic-4	2	0	0	0	0	2
Total	304	52	13	2	2	373

Dollar Value Saved & Loss Analysis July 2016

Dollar Value Saved & Loss Analysis July 2016				
Total Value	Total Loss	Total Saved	Percent Loss	Percent Saved
\$ 200,000	\$ 1,000	\$ 199,000	1%	100%



The following are the statistics for the Fire Prevention Bureau. We have been very busy in public education, inspections, consultations and responding to emergency incidents. We are currently fully staffed and are working diligently on multiple projects.



July Fire Prevention Stats

General Inspections:	57
Re-Inspections:	6
Plan Reviews:	7
Fire Prevention Permits:	5
Fire Investigations:	1
Fire Responses:	0
Ambulance Responses:	3
Public Education Events:	9
Persons in Attendance at PE Events:	717
Car Seats:	0
Short Shift Hours:	10

Law Enforcement Activity Report

6/27/2016 TO 7/31/2016

Ordinance Cases Filed

Criminal	
City of Troy Planning and Zoning	2
Piqua Police Department	11
Sheriff's Department - Miami County	6
Troy Police Department	12
	31
Traffic	
Covington Police Department	14
Piqua Police Department	28
Tipp City Police Department	31
Troy Police Department	132
West Milton Police Department	10
	215

State Cases Filed

Criminal	
Bethel/Sheriff	6
Bradford/Sheriff	3
Covington Police Department	1
Department of Taxation	1
Dog & Kennel	8
Miami County Health Board	40
Miami County Park District	1
Ohio State Patrol	14
Personal	5
Piqua Police Department	91
Pleasant Hill / Sheriff	2
Sheriff's Department - Miami County	51
Tipp City Police Department	24
Troy Police Department	159

Law Enforcement Activity Report
6/27/2016 TO 7/31/2016

West Milton Police Department	39
Wildlife	10
	<u>455</u>
<hr/>	
Traffic	
<hr/>	
Bethel/Sheriff	22
Bradford/Sheriff	1
Covington Police Department	4
Eliz. Twp./Sher. (nullify 1/1/2012)	1
Ohio State Patrol	683
Piqua Police Department	20
Pleasant Hill / Sheriff	2
Sheriff's Department - Miami County	129
Tipp City Police Department	34
Troy Police Department	103
West Milton Police Department	24
	<u>1,023</u>
Grand Total:	<u><u>1,724</u></u>

MEMO

To: Patrick Titterington, Director of Public Service and Safety

From: Tim Davis, Planning & Zoning Manager

Date: August 11, 2016

Subject: Planning Division Update

I have attached two reports which summarize concerns that are being addressed by the Planning Division from July 28, 2016 to August 11, 2016. The first report shows all permits that were issued by the Planning Division. The report contains the address and type of permit and separates the information by each ward. There were 39 permits issued during this time period.

The second report contains the address, type of concern, and a summary of the current status of on-going issues. Both open and closed concerns are listed and are separated by each ward.

As in the past, all costs associated with the removal of trash and elimination of noxious weeds will be invoiced to the property owner. If the property owner does not pay the invoice, the cost will be assessed to the property taxes.

CITY OF TROY - WARD ONE
PERMIT REPORT
07/28/2016 TO 08/11/2016

1323WT	8/5/2016	1120 BARRINGTON DR	HARLOW BUILDERS INC	0
WATER TAP-RES		N/A	701 N MARKET ST	2000.00
		10625		LV 2667
		3/4" WATER TAP - RESIDENTIAL, 8/5/16	TROY, OH 45373	NL 759
		HALIFAX ESTATES		BA 2667
		0/0/		

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3066ST	8/5/2016	1120 BARRINGTON DR	HARLOW BUILDERS INC	0
SEWER TAP - RES		N/A	701 N MARKET ST	1200.00
		10625		LV 2667
		5/8" SEWER TAP - RESIDENTIAL, 8/5/16	TROY, OH 45373	NL 759
		HALIFAX ESTATES		BA 2667
		0/0/		

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2016171Z	8/4/2016	632 LOCUST LN	HOUSE, SAMANTHA	0
DECK		D08-048490	632 LOCUST LN	25.00
		N/A		LV 0
		DECK, 7/25/16	TROY, OH 45373	NL 0
		N/A		BA 0
		0/0/		

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2016083F	8/4/2016	1107 MYSTIC LN N	GREGG, RICHARD	0
FENCE		D08052870	1107 MYSTIC LN N	10.00
		N/A		LV 0
		FENCE, 7/25/16	TROY, OH 45373	NL 0
		MEADOWLAWN 5A		BA 0
		0/0/		

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CITY OF TROY - WARD TWO
PERMIT REPORT
07/28/2016 TO 08/11/2016

2016008T	8/1/2016	200 ADAMS ST	CITY OF TROY	0
COMMERCIAL		D08250355	100 S MARKET ST	50.00
		N/A		LV 0
		TENT PERMIT, 7/28/16	TROY, OH 45373	NL 0
		0/0/		BA 0

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2016165Z	8/1/2016	926 HAVERHILL DR	SCOTT INVESTMENTS OF TROY LLC	0 KEYSTONE HOMES
SINGLE FAMILY W/BASMNT		N/A	PO BOX 980	95.87 PO BOX 980
		10596		LV 1969 TROY, OH 45373
		SGL FAM W/BASEMENT 7/2016	TROY, OH 45373	NL 649 937-332-8669
		NOTTINGHAM, SEC 9		BA 1969
		0/0/		

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2016169Z	8/3/2016	589 LOXLEY LN	SCOTT INVESTMENTS OF TROY LLC	0
SINGLE FAMILY W/BASMT	N/A		PO BOX 980	103.65
	10620		LV	2789
	SINGLE FAMILY RESIDENCE W/BASEMENT	TROY, OH 45373	NL	672
	NOTTINGHAM	0/0/	BA	1904

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1322WT	8/1/2016	589 LOXLEY LN	SCOTT INVESTMENTS OF TROY LLC	0
WATER TAP-RES	N/A		PO BOX 980	2000.00
	10620		LV	2789
	3/4" WATER TAP - RESIDENTIAL, 8/1/16	TROY, OH 45373	NL	672
	NOTTINGHAM	0/0/	BA	1904

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3065ST	8/1/2016	589 LOXLEY LN	SCOTT INVESTMENTS OF TROY LLC	0
SEWER TAP - RES	N/A		PO BOX 980	1200.00
	10620		LV	2789
	5/8" SEWER TAP - RESIDENTIAL, 8/1/16	TROY, OH 45373	NL	672
	NOTTINGHAM	0/0/	BA	1904

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2016164Z	7/29/2016	220 MAIN ST W	P & C VENTURES LLC	0
COMMERCIAL	N/A		220 MAIN ST W	29.35
	N/A		LV	0
	SIGN, COMMERCIAL 7/2016	TROY, OH 45373	NL	0
		0/0/	BA	0

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2016170Z	8/4/2016	573 MARKET ST N	FOGT, PAM	0
ABOVE GROUND POOL	N/A		152 RIDGE AVE N	25.00
	N/A		LV	0
	POOL, 7/22/16	TROY, OH 45373	NL	0
		0/0/	BA	0

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2016069S	8/11/2016	11 MARKET ST S	BERNER ESTATES	0
WALL SIGN	D08250430		101 PERIDOT DR	40.00
	N/A		LV	0
	SIGN, 7/27/16	ANNA, ON 45302	NL	0
		0/0/	BA	0

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2016062S	7/29/2016	121 PUBLIC SQ	MIAMI COUNTY FAMILY ABUSE	0
WALL SIGN	D08006470		16 E FRANKLIN ST	47.71
	N/A		LV	0
	SIGN PERMIT, 6/29/16	TROY, OH 45373	NL	0
		0/0/	BA	0

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CITY OF TROY - WARD THREE
PERMIT REPORT
07/28/2016 TO 08/11/2016

2016009T	8/9/2016	1865 CO RD 25A S	WACO HISTORICAL SOCIETY	0
COMMERCIAL		D08-250400	1865 CO RD 25A S	50.00
		N/A	LV	0
		TENT PERMIT, 8/5/16	TROY, OH 45373	NL 0
		N/A	BA	0
		0/0/		

2016068S	8/9/2016	1865 CO RD 25A S	WACO HISTORICAL SOCIETY	0
BANNER		D08-250400	1865 CO RD 25A S	25.00
		N/A	LV	0
		TEMP. SIGN, 8/5/16	TROY, OH 45373	NL 0
		N/A	BA	0
		0/0/		

2016063S	7/29/2016	105 MARKET ST S	DAVEY, HEATHER	0
CANOPY/AWNING		N/A	1640 SURREY RD	26.50
		N/A	LV	0
		SIGN, 7/18/16	TROY, OH 45373	NL 0
		N/A	BA	0
		0/0/		

2016064S	7/29/2016	105 MARKET ST S	DAVEY, HEATHER	0
WINDOW SIGN		N/A	1640 SURREY RD	
		N/A	LV	0
		SIGN, 7/18/16	TROY, OH 45373	NL 0
		N/A	BA	0
		0/0/		

2016172Z	8/8/2016	222 RACE ST W	WATT, MICHAEL AND AMY	0
GARAGE-DETACHED		N/A	222 RACE ST W	25.00
		N/A	LV	0
		GARAGE, 7/25/16	TROY, OH 45373	NL 0
		0/0/	BA	0
				0

CITY OF TROY - WARD FOUR
PERMIT REPORT
07/28/2016 TO 08/11/2016

2016081F	8/3/2016	1520 ARLINGTON AVE	UNDERWOOD, JOHN	0
FENCE		D08046060	304 GREENSWARD DR	10.00
		N/A	LV	0
		FENCE, 7/22/16	TIPP CITY, OH 45371	NL 0
		ARLINGTON 2	BA	0
		0/0/		

2016167Z	8/3/2016	1181 PARKVIEW DR	BERGMAN, TYLER	0
DECK		N/A	1811 PARKVIEW DR	25.00
		N/A	2800 E RIVER RD	LV 0
		DECK, 7/25/16	TROY, OH 45373	NL 0
				BA 0

0/0/

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2016168Z	8/3/2016	1132 POND VIEW DR	HARLOW BUILDERS INC	0
SINGLE FAMILY RESIDENCE		NA	1132 POND VIEW DR	70.56
		10125		LV 1551
		SINGLE FAMILY RESIDENCE, 7/26/16	TROY, OH 45373	NL 505
		EDGEWATER FIVE		BA 0

0/0/

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2016166Z	8/3/2016	2619 SWAILES RD	ROUGIER, MATTHEW J	0
ABOVE GROUND POOL		N/A	2619 SWAILES RD	25.00
		N/A		LV 0
		POOL, 7/29/16	TROY, OH 45373	NL 0
				BA 0

0/0/

/

2016036OC	8/11/2016	1100 WAYNE ST	PARK PLACE PROPERTIES LLC	0
SERVICE		D08041705	251 MULBERRY ST S	50.00
		N/A		LV 0
		OCCUPANCY, 8/9/16	TROY, OH 45373	NL 0
				BA 0

0/0/

/

CITY OF TROY - WARD FIVE
PERMIT REPORT
07/28/2016 TO 08/11/2016

COMMERCIAL		701RIDGE AVE S	701 RIDGE AVE S	50.00
		N/A	HOBART CORPORATION	LV 0
		TENT, 8/8/16	TROY, OH 45373	NL 0
				BA 0

0/0/

/

2016082F	8/3/2016	1424 TRADE SQ W	ENOCHS CORBY	0
FENCE		D08055147	1424 TRADE SQ W	10.00
		N/A	1424 TRADE SQ W	LV 0
		FENCE, 7/27/16	TROY, OH 45373	NL 0
		WESTBROOK 8		BA 0

0/0/

/

CITY OF TROY - WARD SIX
PERMIT REPORT
07/28/2016 TO 08/11/2016

2016159Z	7/28/2016	3286 HEATHERSTONE DR	RYAN HOMES	0
SINGLE FAMILY W/BASMNT	N/A		884 PLEASANT VALLEY DR	96.98
	10571			LV 2788
	SINGLE FAMILY RESIDENCE W/BASEMENT		SPRINGBORO, OH 45066	NL 522
	0/0/			BA 1388
/				
2016160Z	7/28/2016	3290 HEATHERSTONE DR	RYAN HOMES	0
SINGLE FAMILY W/BASMNT	N/A		884 PLEASANT VALLEY DR	92.18
	10570			LV 3232
	SINGLE FAMILY RES W/ BASEMENT		SPRINGBORO, OH 45066	NL 442
	0/0/			BA 442
/				
2016173Z	8/8/2016	3302 HEATHERSTONE DR	RYAN HOMES	0 RYAN HOMES
SINGLE FAMILY W/BASMNT	D08-106308		884 PLEASANT VALLEY DR	93.67 884 PLEASANT VALLEY
	10567			LV 3841 SPRINGBORO, OH 45066
	SINGLE FAMILY RESIDENCE W/BASEMENT		SPRINGBORO, OH 45066	NL 245 937-521-3306
	STONEBRIDGE MEADOWS	0/0/		BA 281
/				
1321WT	8/1/2016	3302 HEATHERSTONE DR	RYAN HOMES	0
WATER TAP-RES	D08-106308		884 PLEASANT VALLEY DR	2000.00
	10567			LV 3841
	3/4" WATER TAP - RESIDENTIAL, 8/1/16		SPRINGBORO, OH 45066	NL 245
	STONEBRIDGE MEADOWS	0/0/		BA 281
/				
3064ST	8/1/2016	3302 HEATHERSTONE DR	RYAN HOMES	0
SEWER TAP - RES	D08-106308		884 PLEASANT VALLEY DR	1200.00
	10567			LV 3841
	5/8" SEWER TAP - RESIDENTIAL, 8/1/16		SPRINGBORO, OH 45066	NL 245
	STONEBRIDGE MEADOWS	0/0/		BA 281
/				
2016161Z	7/28/2016	3313 HEATHERSTONE DR	RYAN HOMES	0
SINGLE FAMILY W/BASMNT	N/A		884 PLEASANT VALLEY DR	0.00
	N/A			LV 2598
	SINGLE FAM RES W/BASEMENT, 7/18/16		SPRINGBORO, OH 45066	NL 424
	STONEBRIDGE MEADOWS	0/0/		BA 836
/				
3067ST	8/10/2016	3317 HEATHERSTONE DR	RYAN HOMES	0
SEWER TAP - RES	N/A		884 PLEASANT VALLEY DR	1200.00
	10561			LV 3991
	5/8" SEWER TAP - RESIDENTIAL, 8/10/16		SPRINGBORO, OH 45066	NL 673
	STONEBRIDGE MEADOWS	0/0/		BA 233
/				

1324WT	8/10/2016	3317 HEATHERSTONE DR	RYAN HOMES	0
WATER TAP-RES		N/A	884 PLEASANT VALLEY DR	2000.00
		10561		LV 3991
		3/4" WATER TAP - RESIDENTIAL, 8/10/16	SPRINGBORO, OH 45066	NL 673
		STONEBRIDGE MEADOWS		BA 233
		0/0/		
		/		
2016162Z	7/28/2016	3318 HEATHERSTONE DR	RYAN HOMES	0
SINGLE FAMILY W/BASMNT		N/A	884 PLEASANT VALLEY DR	93.53
		10563		LV 3156
		SINGLE FAMILY RES W/BASEMENT	SPRINGBORO, OH 45066	NL 624
		STONEBRIDGE MEADOWS		BA 573
		0/0/		
		/		
2016163Z	7/28/2016	3321 HEATHERSTONE DR	RYAN HOMES	0
SINGLE FAMILY W/BASMNT		N/A	884 PLEASANT VALLEY DR	91.58
		10562		LV 2542
		SINGLE FAMILY RES W/BASE, 6/27/16	SPRINGBORO, OH 45066	NL 424
		STONEBRIDGE MEADOWS		BA 1192
		0/0/		
		/		
2016066S	8/3/2016	1789 MAIN ST W	HARSON INVESTMENTS	0
ON-SITE		D08057971	5565 AIRPORT HWY	25.00
		N/A		LV 0
		TEMPORARY SIGN, 8/2/16	TOLEDO, OH 43615	NL 0
		TROY TOWNE CENTER		BA 0
		0/0/		
		/		
2016008D	8/9/2016	1789 MAIN ST W	HARSON INVESTMENTS	0 ATGS INC
DEMOLITION-COMMERCIAL		D08057971	5565 AIRPORT HWY	19.66 200 LAU PARKWAY
		N/A		LV 0 CLAYTON, OH 45315
		TRUENORTH SHELL - DEMO 3-9-16	TOLEDO, OH 43615	NL 0 937-832-8885
		TROY TOWNE CENTER		BA 0
		0/0/		
		/		
2016067S	8/8/2016	1910 MAIN ST W	GZD TROY VENTURES LLC	0 DANITE SIGN CO.
INTERNAL ILLUMINATION		N-A	575 W 1ST AVE, STE 100	92.50 1640 HARMON AVE
		N/A		LV 0 COLUMBUS, OH 43223
		SIGN, 7/28/16	COLUMBUS, OH 43223	NL 0 614-444-3333 EXT: 212
		N-A		BA 0
		0/0/		
		/		
2016065S	7/29/2016	2001 MAIN ST W	SEW-EURODRIVE	0
BANNER		D08058055	2001 MAIN ST W	25.00
		N/A		LV 0
		TEMP. SIGN, 7/28/16	TROY, OH 45373	NL 0
		MIAMI CO IND PARK 1		BA 0
		0/0/		
		/		

CITY OF TROY
 PERMIT WORK TYPE STATISTICS REPORT
 PERMIT DATE: 07/28/2016 TO 08/11/2016

SUBTOTALS	PERMITS	FEEES	EST. COST
D DEMOLITION-COMMERCIAL	1	19.66	0
F FENCE	3	30.00	0
OC SERVICE	1	50.00	0
S BANNER	2	50.00	0
S CANOPY/AWNING	1	26.50	0
S INTERNAL ILLUMINATION	1	92.50	0
S ON-SITE	1	25.00	0
S WALL SIGN	2	87.71	0
S WINDOW SIGN	1	0.00	0
ST SEWER TAP - RES	4	4,800.00	0
T COMMERCIAL	3	150.00	0
WT WATER TAP-RES	4	8,000.00	0
Z ABOVE GROUND POOL	2	50.00	0
Z COMMERCIAL	1	29.35	0
Z DECK	2	50.00	0
Z GARAGE-DETACHED	1	25.00	0
Z SINGLE FAMILY RESIDENCE	1	70.56	0
Z SINGLE FAMILY W/BASMNT	8	667.46	0
=====			
GRAND TOTAL	39	\$14,223.74	

CITY OF TROY - WARD ONE
VIOLATIONS BY ADDRESS
07/28/2016 TO 08/11/2016

1878 HUNTERS RIDGE DR	TALL WEEDS/GRASS HUNTERS RIDGE	08/02/16 20161428	08/02/16 GALLEGOS, JESUS	08/02/17
8-1-16 sb Tall grass/weeds, certificate, follow up 8-9-16. 8-10-16 sb Grass tall, send to OZ, follow up 8-24-16.				
573 MEADOW LN	TALL WEEDS/GRASS MEADOWLAWN 1	08/09/16 20161462	08/09/16 WHEELLOCK, SANDRA	08/09/17
8-9-16 SB Tall weeds, certificate. Follow up 8-16-16.				
580 STAUNTON COMMONS DR	TRASH & DEBRIS	08/03/16 20161436	08/04/16 LETO HOLDINGS LLC	12/02/16
8-2-16 sb Inspected property with Therese from Health Dept. Whole complex is covered in trash including a refrigerator full of food with mold and maggots. Spoke with James Leadingham on the phone and told him he had 3 days to get cleaned up. His mother Mary gave me an address of 1021 Linden Isle Dr, Franklin, TN 37064. This address was verified by Therese through the Miami Co. prosecutor's investigator. Sending both ways. Follow up 8-9-16. 8-5-16 sb Mary Slane tel 614-517-5936. She has had the fridge removed and has a tenant who is cleaning up the other trash. 8-9-16 sb Inspected with Therese and Neil T. Tenant is working on getting trash removed. Northern dumpster is clean around it, southern dumpster is not. There is still loose trash around. Follow up 8-12-16, if not completed, send to contractor.				
523 STONYRIDGE AVE	TRASH & DEBRIS N/A	08/08/16 20161459	08/08/16 JENS LLC	12/06/16
8-8-16 SB trash in ROW, sent both ways. Follow up 8-12-16.				

CITY OF TROY - WARD TWO
VIOLATIONS BY ADDRESS
07/28/2016 TO 08/11/2016

916 ARROW DR	TALL WEEDS/GRASS NOTTINGHAM	08/10/16 20161470	08/10/16 BUCHANAN, DAVID & LEANN	08/10/17
8-10-16 dp This location I would have thought would have been sodded by Keystone by now but it has not and the weeds are out of control. Certificate letter follow up 8-17-16.				
32 FOSS WAY	TALL WEEDS/GRASS	08/08/16 20161454	08/08/16 TAG PROPERTIES GROUP LLC	08/08/17
8-8-16 dp TW Both ways follow up 8-15-16.				
425 FRANKLIN ST E	SHRUBBERY-OVERGROWN	07/29/16 20161419	07/29/16 HANCOCK, SHELLEY	11/26/16 COMPLETED 08/05/16
7-29-16 dp Hedges overgrown and protruding over and blocking portions of the sidewalk. Certificate follow up 8-5-16. 8-5-16 dp Bushes have been trimmed close.				
425 FRANKLIN ST E	TALL WEEDS/GRASS	07/29/16 20161418	07/29/16 HANCOCK, SHELLEY	07/29/17
7-29-16 dp TW Certificate follow up 8-5-16. 8-5-16 dp Grass ok follow up 8-19-16.				
599 LOXLEY LN	BRUSH LETTER	08/10/16 20161471	08/10/16 SCOTT, AARON J & MELISSA N	12/08/16
8-10-16 dp Noticed a pile of brush in the street gutter. Certificate letter, follow up 8-15-16.				

1051 MAIN ST E	SIGN VIOLATIONS	08/10/16	08/10/16	12/08/16
		20161469	SHORT, RONALD F & DARCEL A	

8-10-16 dp This location recently had exterior work performed and the company placed a yard sign. It has now been approximately 14 days since this was complete and the sign remains. I rang the bell this morning with no answer. Certificate letter for removal, follow up 8-12-16.

CITY OF TROY - WARD THREE
 VIOLATIONS BY ADDRESS
 07/28/2016 TO 08/11/2016

510 CRAWFORD ST S	TRASH & DEBRIS	08/08/16	08/08/16	12/06/16
		20161457	MR. ROBERT L. MEEK	

8-8-16 dp Noticed a sofa and some bedding in the curblawn. I know that at this time ths location is vacant. Certified letter, follow up 8-13-16.

818 CRAWFORD ST S	TRASH & DEBRIS	07/29/16	07/29/16	11/26/16	08/08/16
		20161417	BRUGGER, SUSAN	TRASH REMOVED	

7-29-16 dp Complaint of trash off the alley behind the garage certificate follow up 8-3-16.
 8-3-16 dp Trash remains send 48 hr follow up 8-7-16.
 8-8-16 dp Trash gone close.

824 CRAWFORD ST S	TRASH & DEBRIS	08/08/16	08/08/16	
	N/A	20161456	DAVIS, TERESA	

8-8-16 dp Noticed a mixed pile of debris including brush in the street gutter. Letter certificate follow up 8-13-16.

805 DRURY LN	BRUSH LETTER	08/08/16	08/08/16	12/06/16
	N/A	20161460	BANKSON, PATRICIA	

8-8-16 SB brush in rear yard, certified. Follow up 8-16-16.

406 ELLIS ST	TRASH & DEBRIS	08/08/16	08/08/16	12/06/16
	N/A	20161453	SHAMBLIN, SAM	

8-8-16 dp I noticed some what appears to be construction debris in the curblawn and some tires also in the curb lawn. Certificate letter, follow up 8-13-16.

222 OAK ST	TRASH & DEBRIS	08/08/16	08/08/16	12/06/16
	N/A	20161452	YOAKIM, KAMAL	

8-8-16 dp Noticed debris from remodeling the interior of this structure has been left outside for a while now. Letter sent both ways, follow up 8-13-16.

274 ROSS ST W	TRASH & DEBRIS	08/09/16	08/09/16	12/07/16
	SOUTHVIEW ESTATES 5	20161466	WEAVER, AARON	

8-9-16 dp I noticed a huge pile of trash in the curb lawn, move-out, and a for rent sign in the yard. Certificate letter, follow up 8-14-16.

722 SCOTT ST	FENCE NO PERMIT	08/10/16	08/10/16	08/10/16	09/12/16
		20161468	CLARK, DUSTIN & JESSICA		

8-10-16 dp I was in this area today and noticed this fence had been erected. I received an application from this home owner and had called him on the 22nd of July in regards to the site plan. He was wanting to fence across property lines to an adjacent property he owns but the issue was that the second lot had no Primary Use structure so I told him his permit was not approved unless he had a re-plat performed. Today I noticed this fence was up. Violation letter sent certificate, follow up 9-12-16.

115 UNION ST S	TALL WEEDS/GRASS	08/08/16	08/08/16	08/08/17
	N/A	20161451	TODD RICHARD & JERRI	

8-8-16 dp TW send both ways follow up 8-15-16.

240 UNION ST S	TALL WEEDS/GRASS N/A	08/08/16 20161448	08/08/16 HAIRE EDWARD T	08/08/17	
8-8-16 dp Tall weeds. Letter sent certified and a letter sent to tenant. Follow up 8-16-12					
506 UNION ST S	PROPERTY MAINTENANCE N/A	08/08/16 20161449	08/08/16 MONTGOMERY, JUNE	12/06/16	
8-5-16 dp Complaint of property maintenance issues. Upon inspection I found a porch roof in disrepair as well as wood trim degrading needing replaced and painted. Certificate letter, follow up 9-8-16.					
522 UNION ST S	TRASH & DEBRIS N/A	08/08/16 20161447	08/08/16 BRUMBAUGH, LLOYD	12/06/16	
8-8-16 dp Trash on property. Letter sent certified and letter sent to tenant. Follow up 8-12-16.					
614 UNION ST S	PROPERTY MAINTENANCE N/A	08/08/16 20161450	08/08/16 MONTGOMERY, JUNE	12/06/16	
8-5-16 dp Complaint of this location in need of repair. Upon inspection I found that the roof above the front porch is sagging and deteriorated and the wood trim needs scrapped and painted. Certificate letter, follow up 9-8-16.					
CITY OF TROY - WARD FOUR					
VIOLATIONS BY ADDRESS					
07/28/2016 TO 08/11/2016					
1550 BURCH CT	PROPERTY MAINTENANCE ARLINGTON 1	07/28/16 20161412	07/28/16 BOAK, DOUGLAS K	11/25/16	
7-28-16 dp Front porch soffit is in disrepair and falling in with holes exposed. Letter sent certificate, follow up 8-30-16.					
1071 DICKERSON DR	TALL WEEDS/GRASS PLEASANT VIEW ESTATES TWO	08/01/16 20161423	08/01/16 DICKERSON INTERNATIONAL IN	08/01/17	
8-1-16 dp Complaint of tall weeds on the property. Verified tall weeds and sent a certified letter, folow up 8-8-16.					
8-5-16 dp Green card back dated 8-3-16 follow up 8-9-16.					
8-9-16 dp TW to OZ follow up 8-31-16.					
424 MARKET ST W	BRUSH LETTER N/A	08/08/16 20161446	08/08/16 METZ, MARY ALIVE	12/06/16	
8-8-16 dp Brush letter sent certificate. Follow up 8-15-16.					
625 MUMFORD DR	TRASH & DEBRIS WINDRIDGE PLACE 2	08/03/16 20161434	08/03/16 TROY INVESTMENT GROUP LLC	12/01/16	08/08/16
8-3-16 dp Discarded furniture left in the ROW, this is a 4 unit and the owner is responsible for trash removal, not the City.					
Certificate follow up 8-8-16.					
8-8-16 dp trash gone close.					
645 MUMFORD DR	TRASH & DEBRIS WINDRIDGE PLACE 2	08/03/16 20161435	08/03/16 TROY INVESTMENT GROUP LLC	12/01/16	08/08/16
8-3-16 dp Discarded furniture left in the ROW, this is a 4 unit and the owner is responsible for trash removal, not the City.					
Certificate follow up 8-8-16.					
8-8-16 dp Trash gone close.					
1 PAUL REVERE WAY	PROPERTY MAINTENANCE N/A	07/28/16 20161410	11/25/16 TIPP PROPERTIES LLC		
7-21-16 dp Complaint of asphalt in poor condition especially at the entrance and rodent infestation on and about this entire property. Certificate follow up 8-22-16.					

1460 WAYNE ST	PROPERTY MAINTENANCE	07/28/16	11/25/16
	OAKMONT CREEK 2	20161411	PETENBURG, RICHARD

7-21-16 dp Complaint of rodent, groundhogs, in and about the property, Certified follow up 8-22-16.
7-28-16 dp Green card back dated 7-26-16 follow up 8-29-16.

CITY OF TROY - WARD FIVE
VIOLATIONS BY ADDRESS
07/28/2016 TO 08/11/2016

1565 CHESHIRE RD	ZONING PROBLEMS	08/03/16		08/03/16
	HAMPTON VILLAGE 1	20161433	HARLOW BUILDERS	NO VIOLATION

8-3-16 sb Received a complaint last week that someone thought the tenant was running a landscaping business out of this home. I've inspected several times, at different times of the day and have found nothing to indicate that there is a landscaping business here. No violation. Close.

1374 CROYDON RD	BRUSH LETTER	08/08/16	08/08/16	12/06/16
	N/A	20161455	SHAW, PATRICIA	

8-8-16 dp Noticed several small piles of brush in the street gutter unbundled/unbagged. Letter sent certificate, follow up 8-13-16.

919 KENT LN	BRUSH LETTER	08/02/16	08/02/16	11/30/16	08/04/16
	N/A	20161430	BRUNS, FREDERICK	COMPLETED	

8-2-16 cs Brush letter, certificate. Follow up 8-9-16.
8-4-16 sb Fred Bruns tel. Brush is bundled. He is correct, the picture shows it bundled. close.

921 KENT LN	BRUSH LETTER	08/02/16	08/02/16	11/30/16	08/02/16
	N/A	20161429	WOLFORD, KIMBERLY	NO VIOLATION	

8-2-16 cs Brush letter sent certificate. Follow up 8-9-16.

918 RACE ST W	BRUSH LETTER	08/04/16	08/04/16	12/02/16	08/08/16
	N/A	20161437	MCCONNELL, KRISTINA	DEBRIS REMOVED	

8-4-16 sb Brush in ROW. Certificate, Follow up 8-10-16.
8-8-16 sb Christina McConnell tel. Brush gone. Close.

326 TRADE SQ W	BRUSH LETTER	08/02/16	08/02/16	11/30/16	08/08/16
	N/A	20161431	PIERCE BUSINESS PROPERTIES	DEBRIS REMOVED	

8-2-16 dp Brush letter sent certificate. Follow up 8-9-16.
8-8-16 dp I was by here today and this debris is gone. Close.

CITY OF TROY - WARD SIX
VIOLATIONS BY ADDRESS
07/28/2016 TO 08/11/2016

2695 MEADOWPOINT DR	TALL WEEDS/GRASS	08/05/16	08/05/16	08/05/17
		20161445	O'KANE, TIMOTHY	

8-5-16 cs Tall weeds in the ROW and front lawn. Letter sent certificate, follow up 8-12-16.

High Usage Alert Records

Address	24 Hr. usage Cu Ft.	Shut Off: Yes - No	Date	Reconnect: Yes - No - Cause
Maplecrest Dr.	400	Yes	July 14, 2016	Blue card B&C to call
S. Union St.	1000	No	July 14, 2016	No filling pool
Loxley Ln.	500	No	July 14, 2016	No watering
N. Market St.	700	No	July 14, 2016	No watering
W. Main St.	1100	No	July 14, 2016	No filling pool
E. Main St.	500	No	July 18, 2016	B&C to call
Fairgrounds Horse arena	500	Yes	July 18, 2016	Advised maintenance
Ridgewood Dr.	800	No	July 18, 2016	No watering
Stonyridge Ave.	500	No	July 18, 2016	No left blue card
Locust Ln.	400	No	July 18, 2016	No left blue card
W. State Rt. 55	400	No	July 19, 2016	No watering
Stonyridge Ave.	800	No	July 19, 2016	No filling pool
S. Ridge Ave.	700	No	July 19, 2016	No shut hose off left blue card
W. Main St.	700	No	July 19, 2016	No toilet running
S. Union St.	700	No	July 20, 2016	No noticed leaking pool left blue card
Riverside Dr.	400	No	July 20, 2016	No left blue card
Hilltop Dr.	400	No	July 22, 2016	No not running Multi Unit
McGovern Dr.	400	No	July 22, 2016	No watering
S. Madison St.	700	No	July 22, 2016	No shut hose off left blue card
Parkwood Dr.	1200	No	July 22, 2016	Shut hose off , left on filling pond left blue card
Mckaig Ave.	600	No	July 25, 2016	No advised maintenance
W. Ross St.	600	No	July 25, 2016	No left sprinkler on
Brown St.	400	No	July 25, 2016	No advised customer
Cricket Ln.	800	No	July 25, 2016	No filling pool
Crestview Dr.	800	No	July 25, 2016	No watering
Maplecrest Dr.	400	No	July 25, 2016	No watering
Northbrook Ln.	500	No	July 25, 2016	No left blue card
Linwood Dr.	400	No	July 26, 2016	No left blue card
S. Clay St.	400	No	July 26, 2016	No multi Unit B&C to call
S. Ridge Ave.	600	No	July 26, 2016	No left sprinkler on
Stony Creek Rd.	800	No	July 26, 2016	No hose left on
Chamomile Ct.	600	No	July 26, 2016	No watering
York Ln.	600	No	July 27, 2016	No toilet running
Linwood Dr.	400	No	July 27, 2016	No toilet running could be problem causing high con.
S. Ridge Ave.	500	No	July 27, 2016	No watering
S. Clay St.	500	Yes	July 29, 2016	
Elmwood Ave.	400	No	July 29, 2016	No left blue card
Mumford Dr.	1000	No	July 27, 2016	No outside hose left on
Salem Ct.	600	No	July 31, 2016	No filling pool
Conestoga Ct.	700	No	August 1, 2016	No Hose possible left on
Sussex Rd.	600	No	August 1, 2016	No left blue card
Kent Ln.	500	No	August 1, 2016	No soft spot by hose left blue card
Shaftsbury Rd.	500	No	August 1, 2016	No left blue card
Huntington Dr.	700	No	August 5, 2016	No garden hose left on
E. Main St.	400	No	August 5, 2016	No informed tennant
E. Race St.	600	Yes	August 5, 2016	

Terry Dr.	400	No	August 5, 2016	No watering
E. Dakota St.	400	No	August 8, 2016	Advised customer toilet
Peters Rd.	400	No	August 8, 2016	No hose running on berries in back left blue card
Neff Ln.	500	No	August 8, 2016	No watering
Longwood Dr.	500	No	August 8, 2016	No watering
Arbor Ln.	500	No	August 8, 2016	No watering
Mystic Ln.	600	No	August 2, 2016	No watering
Trade Sq. E.	800	No	August 3, 2016	No advised customer
Trade Sq. E.	1700	No	August 3, 2016	No advised customer
W. Water St.	600	No	August 4, 2016	No watering
S. Crawford St.	400	No	August 4, 2016	No advised customer
Stonyridge Ave.	600	No	August 8, 2016	No B&C to call multi unit
Peters Rd.	1100	No	August 8, 2016	No soaker hose in rear on we shut it off
Lee Rd.	600	No	August 9, 2016	No advised customer
Adams St.	400	No	August 9, 2016	No B&C to call care taker for resident
Mumford Dr.	500	No	August 9, 2016	No shut off soaker hose in rear
S. Union St.	700	No	August 9, 2016	No possible filling pool which leaks
S. Dorset Rd.	700	No	August 9, 2016	No left blue card
Brookmeade	600	No	August 9, 2016	No has irrigation
E. Canal St.	700	No	August 10, 2016	No B&C to call
Westlake Dr.	800	No	August 11, 2016	No watering